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A DISCOURSE

ON

THE LIFE, SERVICES AND CHARACTER

OF

STEPHEN VAN RENSSELAER;

DELIVERED BEFORE

THE ALBANY INSTITUTE,

APRIL 15, 1839.

WITH

AN HISTORICAL SKETCH

OF THE COLONY AND MANOR

OF

Rensselaerwyck

IN

AN APPENDIX.

By DANIEL D. BARNARD.

ALBANY:

PRINTED BY HOFFMAN & WHITE.

1839.

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CORRESPONDENCE.

HON. DANIEL D. BARNARD.

DEAR SIR,

At a meeting of the Albany Institute, held April 15, 1839, it was unanimously Resolved, that the thanks of the Institute be presented to the Hon. Daniel D. Barnard, for his able and interesting Discourse on the Life and Services of Stephen Van Rensselaer, and that he be requested to furnish a copy of the same for publication.

As Chairman of the Committee of Arrangements, I have been instructed to make this communication.

I remain, with sentiments of high respect and esteem,

Yours truly,

T. ROMEYN BECK.

April 16, 1839.

ALBANY, April 17, 1839.

DEAR SIR,

My Discourse on the Life and Services of our late President, Stephen Van Rensselaer, having been prepared and delivered at the request of the Institute, the Manuscript will be placed at the disposal of that Body.

With great respect and regard,

I am, dear sir,

Faithfully yours,

D. D. BARNARD.

Dr. T. ROMEYN BECK.



ADVERTISEMENT.

Those who did the Author the honor to attend the delivery of this Discourse, will find in it some passages and paragraphs which were then omitted for the sake of brevity.

The Historical Sketch contained in the Appendix, was read before the Institute at one of its regular meetings; and has been, thought of sufficient public interest, to be worth preserving. It was prepared chiefly from a personal examination of the Manuscript Records in the Office of the Secretary of State at Albany. It is presented, by request, in connection with the Discourse delivered before the Institute, as belonging not inappropriately to the subject and the occasion; indeed, it will be seen that it formed originally a part of the Discourse itself, from which it was necessarily severed on account of its length—its place being supplied in the body of that paper by a brief reference to some of the leading facts contained in the Sketch.

DISCOURSE.

THE Albany Institute, embracing in its objects a wide field for observation and study, is made up of three principal Departments, each having its President, Vice-President, and other appropriate Officers. It was formed originally by the union of two Societies previously existing under separate charters. At the organization of the Institute, on the 5th of May, 1824, STEPHEN VAN RENSSELAER, then at Washington as the Representative in Congress from this District, was unanimously selected to preside over its deliberations. He filled, at the time, the Presidency of the Albany Lyceum of Natural History, henceforth to be merged in the Institute; and there was every thing in his position and standing, as well as in his direct connection in many ways with the objects of the new Society, to make the

compliment of the selection deserved and proper ; yet it was found that his own regards, with characteristic modesty, had been directed towards another worthy and eminent citizen, as fittest to occupy the Chair ; and it was only after much hesitation and reluctance that he communicated to a friend on the spot, his permission and request to decide the question of acceptance or refusal for him. It hardly need be added that the office was promptly accepted in his behalf. By the Charter of the Institute, this office is made elective annually ; and every year, since the same agreeable act was first performed, and with the same unanimity, have the Members of this Society offered the same grateful testimonial of their respect and affection for their beloved President. Alas ! my Friends and Fellow-Members, that offering of ours has been made for the last time. We are now called, in common with the whole country, to mourn his loss. He departed this life on SATURDAY, the TWENTY-SIXTH DAY OF JANUARY last. It was at FOUR o'clock in the afternoon, of a day which had dawned upon him with as fair a promise of closing on him in life, as any, perhaps, which he had seen for the last

two years, that in a small Cabinet of his ample mansion, which his infirmities had made his chief asylum and sanctuary for many months, sitting in his chair, with just warning enough to convey the intimation to his own mind that his hour had come, without enough of previous change seriously to alarm the fears of anxious, watchful and trembling hearts around him, the venerable man bowed his head, and died.

In the affecting ceremonies of his funeral, the Members of the Institute had their humble part. It had been resolved, in special session, that they would attend the funeral of their President in a body. This, however, was not all their duty. It was thought to belong appropriately to them to gather up the memorials of his life and services, and cause them to be arranged and presented before the Society in a regular Discourse. It has pleased those whose charge it was to make the selection, to assign the duty of preparing and presenting this tribute, to me. They might have found many to perform the service more acceptably; not one, since the time had come when the duty must be discharged by some body, to whom it could have been a more grateful office.

In entering on the execution of this trust, I should have been glad, if time had permitted, to have claimed the indulgence of my audience, first of all, to carry them back to a period in history somewhat remote from the times to which the distinguished subject of this Memoir more immediately belonged. Some of the acts of his individual career, and the traits of his beautiful character, when we should reach them in the progress of our narrative, would, I think, have developed themselves much the more strongly for the light which might thus have been thrown on them from the past. They would have been found, some of them at least, to have been linked backward, by unbroken chains, to the times and events of other and even distant generations. Men's virtues, any more than their vices, are not all their own. To some extent they are inheritors of virtues, and to some extent they are moulded by circumstances. They may be trained in schools of which the masters are dead long and long before, and of which nothing remains but the transmitted lessons that were taught without intending to teach them. In his personal history, MR. VAN RENSSELAER was subjected to the strong influence

of great events—events powerfully affecting property, and rights, and ideas, and character. He was born the subject of a King, and he was born to a Chartered Inheritance, which gave him the right to a considerable share of Feudal honors and Feudal power; at twenty-one, however, he had become, through a forcible and bloody Revolution, a citizen of a free Republic, with only his own share, as such, with all his fellow-citizens, in the popular sovereignty of the country. He was the proprietary of a remarkable landed interest—remarkable for any country—connecting him and his affairs directly with an ancestry, and through that ancestry with a people, in a portion of whose doings and history are bound up some interesting and valuable materials for the proper illustration of events and characters in later and even present times, in this part of our country. As such proprietary, looking to the earlier periods of his life, he represented, in his own person, a state of things in regard to property and its incidents, and the structure of social and political institutions, which in his own time and in his own hands, passed away forever—not, however, without leaving behind them their strongly-marked

and indelible traces ; and, looking at him from the days of his manhood onward, he was, in his character and in his relations, a living witness and illustration of some important contributions which a former age had made to the present, and by which the features of the latter, as stamped by a new order of things, were not a little modified. Undoubtedly we change with the times ; yet no age can choose but wear, more or less strongly, the lineaments of its parent age—the complexion, even a very great way off, will shew a tinge from the blood that was in the original fountain. He, the subject of our present reflections, stood, in one sense, between the present and the past ; between two distinct and even opposite orders of things, and he belonged in a manner to both. His life reached forward well into the heart of the Republican system—and the whole country did not contain a more thorough Republican than he was—while his days ran back to a period when a feudal Aristocracy, of which he was himself a part, had a legalized and legitimate growth in the soil of this our native land. He was a thorough Republican, in a Republican State, and yet he bore to his death, by common

courtesy and consent—never claimed but always conceded—the hereditary title which had anciently attached to the inheritance to which he had been born.

The title, as is well known to you, by which he was usually addressed and spoken of amongst us, was that of *Patroon*. This title was derived, evidently, from the Civil Law, and the Institutions of Rome. In the time of the Roman Republic, the Latin *Patronus* was used to denote a Patrician, who had certain of the people under his immediate protection, and for whose interests he provided by his authority and influence. At a later period, and after the power of Rome had been greatly extended by her conquests, individuals and families of the noble order, became Patrons of whole Cities and Provinces, and this protective authority, with large and extensive legal and political rights and powers, in some instances descended by inheritance. The family of the Claudii was vested with this patronage over the Lacedemonians; and that of the Marcelli over the Syracusans. It was partly from this source, it may well be supposed, that the Dutch, who had adopted the Civil Law, derived

the idea of governing a remote territory, not easily to be reached by the Central Authorities, by committing it to the ample Jurisdiction of a Patroon.* This title was not applied in Holland, so far as I know, to any order in the State there, nor was it employed in, or by, any other of the Countries of Europe. It was not a title of personal nobility, as that term is understood in Europe since the time when Monarchs assumed the right of conferring these distinctions by creation or patent. It belonged exclusively to the Proprietors of large Estates in lands, occupied by a Tenantry; and like the title of Seignior, which the French bestowed with the Seigniories, or large territorial estates and jurisdictions in Lower Canada, on the first colonization of that country, it was deemed especially proper for Transatlantic use. Yet it had attached to it, in connection with proprietorship, the usual incidents and privileges of the old feudal Lordships, in direct imitation of which, both title and estate, with their ju-

* I have seen the "*Jus Patronatus*" of the Roman Law expressly referred to, in an Official MS. of the Dutch Authorities themselves, as the foundation of the powers and jurisdiction committed to the Patroons of New Netherlands.

risdictions, were instituted. It may be added as worth remarking, that, in the case before us, this title has run on, and been regularly transmitted, with the blood of the first Patroon, down to our day, though it is now a Century and three Quarters since the Inheritance ceased to be a Dutch Colony, to which alone the title properly attached, and became, by Royal authority, after a foreign conquest, an English Manorial possession ; and though, in later time, a Revolution has intervened by which the Estate was fully shorn of its Manorial character and attributes, leaving to the proprietor, now for the last fifty years, to hold his property merely by the same simple tenure and ownership, with which every freeholder in the country is invested.

MR. VAN RENSSELAER was the fifth only in the direct line of descent from the original proprietor and Patroon of the Colony of Rensselaerwyck. This personage, the founder of the Colony, was a man of substance and character. He was a merchant of Amsterdam, in Holland, wealthy, and of high consideration in his class, at a time when the Merchants of Holland had become, in effect, like those of Italy, the princes of

the land. He was that Killian Van Rensselaer referred to in our recent Histories as having had a principal share in the first attempts made by the Dutch towards colonization in America.

I think this occasion would have been held to justify a more particular reference to the part which this Ancestor of the late MR. VAN RENSSELAER had in American Colonization, and especially at the important point where we are now assembled; and that it would not have been out of place, to have introduced the personal memoirs of the latter, by a portion at least of that curious and hitherto neglected history which attaches to the Colony and Manor of Rensselaerwyck—that identical landed estate and inheritance, which, nearly in its original integrity, though stript of its accessories, we have seen held and enjoyed, in our time, by a lineal descendant of the first Proprietor. But the unavoidable length to which the briefest outline of that History runs—though fully prepared, after the labor of considerable research—has compelled me, reluctantly I confess, to lay it entirely aside. I must needs content myself now with some very general facts and observations in this connection.

Killian Van Rensselaer—to whom I just now referred—was a large proprietor, and a Director in the Amsterdam Branch of the Dutch West India Company. This Company was incorporated in 1621, and was composed of an associate band of merchant-warriors and chiefs, with a chartered domain and jurisdiction as well for conquests, as for trade and colonization, extending in Africa from Cancer to the Cape, and in America from the extreme South to the frozen regions of the North, and with the right to visit and to fight in every sea where their own or a national enemy could be found. Ample powers of government also attended them every where. After they had obtained a footing in this country, a College of Nine Commissioners was instituted to take the superior direction and charge of the affairs of New Netherland. Killian Van Rensselaer was a member of this College. This was in 1629. The same year, a liberal Charter of Privileges to Patroons and others was obtained from the Company. Colonization by the Dutch had its origin and foundation in this extraordinary Instrument. The same Instrument provided also for founding a landed and Baronial Aristocracy for the Pro-

vinces of the Dutch in the New World. Early in the next year, with the design of establishing his Colony under the Charter, Van Rensselaer sent out an Agency, when his first purchase of land was made of the Indian Owners, and sanctioned by the Authorities of the Company at New Amsterdam. Other purchases were made for him in subsequent years, until 1637, when, his full complement of territory having been made up—nearly identical with the Manor of our day, and forming, as subsequently defined, a tract of about twenty-four miles in breadth by forty-eight in length—Killian Van Rensselaer himself came to take charge of his Colony. Many of his colonists were already here, and others were sent out to him—all at his own cost. The full complement for his Colony, required by the Charter, was one hundred and fifty adult souls, to be planted within four years from the completion of his purchases.

The power of the Patroon of that day was analagous to that of the old feudal Barons; acknowledging the Government at New-Amsterdam, and the States General, as his Superiors. He maintained a high military and judicial au-

thority within his territorial limits. He had his own fortresses, planted with his own cannon, manned with his own soldiers, with his own flag waving over them. The Courts of the Colony were his own Courts, where the gravest questions and the highest crimes were cognizable; but with appeals in the more important cases. Justice was administered in his own name. The Colonists were his immediate subjects, and took the oath of fealty and allegiance to him.

The position of the Colony was one of extreme delicacy and danger. It was situated in the midst of warlike and conquering Tribes of Savages, which, once angered and aroused, were likely to give the Proprietors as much to do in the way of defence, and in the conduct of hostile forays, as were used to fall to the lot of those bold Barons of the Middle Ages, whose castles and domains were perpetually surrounded and besieged by their hereditary and plundering enemies. Happily, however, the Patroons of the period, and their Directors, or Governors of the Colony, by a strict observance of the laws of justice, and by maintaining a cautious and guarded conduct in all things towards their immediate neighbors,

escaped—but not without occasions of great excitement and alarm—those desolating wars and conflicts which were so common elsewhere among the infant Colonies of the country.

While, however, they maintained, for the most part, peaceable relations with the Indian Tribes around them, they were almost constantly in collision, on one subject or another, with the authorities at New Amsterdam, and those in Holland. The boundaries of rights and privileges between them and their feudal Superiors were illy defined, and subjects of disagreement and dispute were perpetually arising. Here, at this point, was the chief mart of trade, at the time, in the Province; and this trade fell naturally into the hands of the Proprietors of the Colony. Not a little heart-burning and jealousy, on the part of the Company, was excited on this account, especially when the Director of the Colony was found to have set up his claim to “staple-right,” amounting to a demand of sovereign control over the proper trade of the Colony against all the world, the Company alone excepted, and had made formidable preparations to enforce his right by the establishment of an Island Fortress, planted with can-

non, and frowning over the channel and highway of the river. The little village of Beverwyck too, clustering under the guns of Fort Orange—the germ of the City of Albany—became debatable ground. The soil belonged to the Colony, and was occupied with the proper colonists and subjects of the Patroon. The Company thought fit to assert a claim to as much ground as would be covered by the sweep of their guns at the Fort. This was of course resisted on one side, and attempted to be enforced on the other ; and so sharp did this controversy become, and so important was it deemed, that Gov. Stuyvesant, on one occasion, sent up from Fort Amsterdam, an armed expedition, to invade the disputed territory, and aid the military force at Fort Orange in supporting the pretensions of the Company—an expedition wholly unsuccessful at the time, and happily too as bloodless as it was bootless. But I can not pursue this singular history in this place.

In 1664, the English Conquest of the Province took place. The Colony of Rensselaerwyck fell with it. Jeremiah Van Rensselaer, the second son of Killian, was then in possession. He died in possession in 1674. The line of the eldest son

of Killian, the original proprietor, became extinct ; and in 1704, a Charter from Queen Anne confirmed the estate to Killian, the eldest son of Jeremias Van Rensselaer. The subject of our present Memoir was the third only in the direct line of descent, in the order of primogeniture, through the second son of this Killian Van Rensselaer—the eldest son having died without issue. The Estate came to him by inheritance, according to the canons of descent established by the law of England. It never passed, at any time, from one proprietor to another by will, nor was it ever entailed.

By a Royal Charter of 1685, the Dutch Colony of Rensselaerwyck had been converted and created into a regular Lordship, or Manor, with all the privileges and incidents belonging to an English estate and Jurisdiction of the Manorial kind. To the Lord of the Manor was expressly given authority to administer justice within his domain in both kinds, in his own Court-leet and Court-baron, to be held by himself or by his appointed Steward. Other large privileges were conferred on him ; and he had the right, with the freeholders and in-

habitants of the Manor, to a separate representation in the Colonial Assembly. All these rights continued unimpaired down to the Revolution.

For eighty-four years immediately preceding the Revolution, the Manor was never without its Representative in the Assembly of the Province—always either the Proprietor himself, or some member, or near relative, or friend of the family. Nearly the whole of this entire period was filled up with a series of hot political controversies between the Assemblies and the Royal Governors. I have looked into the records of these contests, and I have not found an instance from the earliest time, in which the Proprietor or Representative of the Manor was not found on the side of popular liberty. The last of the Representatives was that stern patriot and Whig, Gen. Abraham Ten Broeck. He was the uncle of the late Mr. VAN RENSSELAER, the last of the Manorial Proprietors, and his Guardian in his non-age, and had a right, therefore, to speak and act in the name of his Ward. His official efforts, though often in a minority in the Assembly, were untiring to bring the Province of New-York into a hearty co-operation with her sister Colonies in their movements towards Revolution.

This brief reference to the connection of the Manor, and of the family whose possession and estate it was, with the political history of the period, preceding the Revolution ; may serve not only to do justice to the parties concerned, and thence incidentally to vindicate, if there were need of it, the conduct of the Dutch inhabitants of this Province with reference to the progress of free principles—but also to shew that great as the change certainly was in the personal fortunes and prospects of the late MR. VAN RENSSELAER, between his birth and his majority, yet, in truth, that change was neither sudden nor violent ; that it was altogether easy and natural ; that the way had already been prepared ; and that, though born as he was to hereditary honors and aristocratic rank, he yet, while still a youth, was carried, by the strong current of the times, over the boundary—to him, at the period, but little more than an imaginary line—between two very opposite political systems ; and found himself, at his prime of manhood, and when called to take his own part in the active scenes of life, not only a contented, but a glad and rejoicing subject and citizen of a free Republic. With the history of

the past before him ; in possession of an estate which connected him nearly with feudal times and a feudal ancestry, and which constituted himself, in his boyhood, a Baronial Proprietor, instead of what he now was—the mere fee-simple owner of acres, with just such political rights and privileges as belonged to his own freehold tenantry, and no other—it would not, perhaps, have been very strange, if he had, sometimes, turned his regards backwards, to contemplate the fancied charms of a life, sweetened with the use of inherited power, and gilded with Baronial honors. Nothing, however, I feel warranted in saying, was ever farther from his contemplations. He had no regrets for the past. He was satisfied with his own position ; and though the Revolution, in giving his country independence had stript him of power and personal advantages, yet as it had raised a whole nation of men to the condition and dignity of freemen, and so to a political equality with himself, it was an event which, to a mind attuned as his always was to a liberal and enlightened philanthropy, was only to be thought of with the strongest approbation and pleasure.

But I come now to recount—which I propose

to do in the plainest and simplest manner, as best according with the modesty of his own pretensions and character—those events in the life of **MR. VAN RENSSELAER** which constitute his personal history.

He was born on the first day of November, 1764, in the city of New York. His father was **Stephen Van Rensselaer**, the Proprietor of **Rensselaerwyck**. His mother was **Catharine**, daughter of **Philip Livingston**, Esquire, of the family of that name to which belonged the Manor of **Livingston**. **Mr. Livingston** was conspicuous among those lofty and disinterested spirits brought out by the American Revolution in devotion to human liberty. He was one of the Signers of that undying instrument—the Declaration of Independence. At the period of the birth of his grandchild, which took place in his own house, he was a member of the **General Assembly**, and at that time, more than ten years in advance of the Revolution, in an Answer to the Speech of **Lt. Gov. Colden**, which was reported by him, he put forth and insisted, in explicit terms, on that great doctrine of “taxation only with consent,” the denial

of which by Great Britain finally brought on the conflict of arms.

The present Manor House of Rensselaerwyck was completed in 1765, when the subject of our Memoir was a year old. It took the place of a structure, the site of which was near by, and which had answered, in its day, the uses of a fortress, as well as a dwelling. To this, the new Manor House, his father directly resorted. His occupation of it, however, was short. He died in 1769, of a pulmonary disease, leaving his son, his eldest born, a few days less than five years old, and transmitting to him a constitutional weakness of the chest, which shewed itself in very alarming symptoms in his minority, but happily afterwards disappeared. His father left two other children, a son and daughter. The latter still survives.

On the death of his father, the care of that great landed and feudal estate, which fell exclusively to him, by the rule of primogeniture, was committed to his uncle, Gen. Ten Broeck, by whom it was faithfully managed—as far as the disturbed state of the times would allow—during the minority of his Ward. For a while he re-

mained under the control and supervision of his excellent and pious mother—long enough no doubt to receive those deep impressions of the value of religious faith and the beauty of holy things, which were finally wrought firmly into the texture of his character.

His first experience in school was under the labors of Mr. John Waters, a professional Schoolmaster, at a period when a Schoolmaster was what he always should be, a man of consideration. It was before the days of Webster and printed Spelling-books, and when the letters and elements were studied and taught from a horn-book. And thus was he initiated into these mysteries. The school-house, with its sharp roof and gable to the front, still holds its ground in North Market-street, nearly opposite the stuccoed church of the Colonie, in this city. And the blood of John Waters—the professional Schoolmaster—is still with us, and running in the veins of some of our most worthy and respectable citizens.

But the education of the young Proprietor was to be provided for in a way which required his early removal from the side and hearth of his mother. This care devolved on his grand-father ;

and he was first placed by Mr. Livingston at a school in Elizabeth Town, in New Jersey. When the stirring and troublous times of the Revolution came on, Mr. Livingston was driven with his family from the city of New York, and took refuge at Kingston. Here, fortunately, was established a Classical School, or Academy, which attained no small celebrity under the direction of Mr. John Addison. Addison was a Scotchman, possessing the thorough scholarship of an educated man of his nation, and without any lack of the shrewdness and strong sense so apt to be found among his countrymen. He became a man of consideration in the State, and filled the office of State Senator about the beginning of the present century. Mr. Livingston, much absent from home himself on public affairs, caused his young charge to be domesticated in his own family, for the convenience of his attendance on the instruction of Addison. He acquired the elements of a classical education at the Kingston Academy. The late venerable Abraham Van Vechten—one of the noblest specimens of humanity which it has pleased God ever to create—was his fellow-student at this school ; and here was formed between

the two a close and confidential intimacy and friendship which death alone was able to interrupt.

But the time soon came when it was necessary to supply the growing student with more ample advantages. The celebrated Dr. Witherspoon—scholar, divine, patriot, and statesman—had arrived in this country a few years before the Revolution, and, taking charge of the College of New Jersey at Princeton as President, had raised the reputation of that Institution to a very high pitch. The Revolution dispersed the students and broke up the College, and the learned and ardent Witherspoon, driven from Academic shades, plunged into the business of the War. He, too, was a Signer of the Declaration. He was still in Congress in 1779; but he had determined to retire at the close of that year, and resuscitate his beloved College. In the summer of that year Congress instituted a Commission, the members of which were to proceed northward to investigate, on the spot, the troubles to which the country was then subjected by the inhabitants of the New Hampshire Grants. The Doctor was in the North on this Commission, and on his return, took, by ar-

rangement, young VAN RENSSELAER with him, to make one of the few who should be gathered, in the autumn, under the wing of the re-animated College. Gen. Washington's Head Quarter's were then in the Highlands, at New Windsor. Stony Point had just fallen into the hands of the enemy, who had also a footing in New Jersey. The worthy Commissioner and his charge, received from the General the protection which the times required. Our student passed on his way to his first essay in College life, under a military escort. He was placed in the family of the Rev. Dr. Samuel Smith, the son-in-law of Dr. Witherspoon, and Vice-President of the College, to whom the immediate care of conducting the instruction of the Institution was now committed. But New Jersey was not yet safe from the incursions of the enemy; Princeton was still too near the seat of war; and the next year it was thought advisable to remove the young Collegian to the University at Cambridge, then, as now, a distinguished and leading school of the higher kind in the United States. Here, in 1782, in the nineteenth year of his age, with respectable attainments in the classical and other learning of the

time, he took his first degree in letters as a Bachelor of Arts. It may be added, in this connection, that in 1825, he received from Yale College, a Diploma conferring upon him the honorary degree of Doctor of Laws.

The war of the Revolution was ended in 1782, though peace was not proclaimed till the next year. MR. VAN RENSSELAER was now at home, still two years under age, too late escaped from the University to put on armor for his country, without any motive to apply himself to the acquisition of professional learning of any sort, his estate yet under guardianship and properly cared for ; and what was he to do ? The natural refuge of a young man thus situated, and no doubt as safe as any which he would be likely to take, was in matrimony. He was married, before he was twenty, at Saratoga, to Margaret, the third daughter of Gen. Philip Schuyler ; and thus was he connected, by a near relationship, and one as it proved, of great confidence and affection, with another of those extraordinary men whose names so crowd and illumine the pages of our Revolutionary history.

His excellent mother, a discreet and exemplary

christian, had, in 1775, united herself in marriage with the Rev. Dr. Eilardus Westerlo, an original Dutchman, a fine scholar, an eminent divine, and, at the time, and long before and long after, the installed pastor of the Dutch Church in this city, where he preached in the Dutch language for the first fifteen or twenty years of his ministry. The mother of MR. VAN RENSSELAER still resided with her husband at the Manor House, at the time of his marriage; but the ample Parsonage of the good Domine, in North Market street, was then unoccupied, and there he bestowed his bride, to await the period when, having attained his legal majority, he should take possession of his inheritance. When that time came, the proper exchange of domiciles took place between him and his mother.

The occasion of his reaching the important age of twenty-one was celebrated with much of that kind of rousing observance, which, without being inappropriate, would have fitted more perfectly, perhaps, his relations as a Landlord, if the event had transpired ten years earlier. But as it was, and changed as the political relations between him and his tenants had become within that

time, they were not to be restrained from offering, on this event, the testimony of their joy, and their affection for his person, as if he was still, instead of being simply a contracting party with them in regard to their lands, as much their Patron and feudal Superior, as his ancestor was of their fathers in the time of Petrus Stuyvesandt. The Tenantry were certainly not as numerous, by any means, as they have since become ; but such as they were, they poured in upon him from the extremes of the broad territory, nor did they leave him till they had done ample justice to the liberal cheer which he had provided for their entertainment.

This event fairly disposed of, Mr. VAN RENSSELAER found it necessary to look somewhat critically after his interests in the Manor. He was in possession of a very large landed interest, but one which could not be managed without great expense, and from which he found the returns not only moderate, but small. The interests of the country too, as well as his own, required that these lands should be cultivated. Comparatively few of them had yet been converted into farms. The Revolution had just closed, and left the

country poor. Speculators would buy lands—as they always will—but farmers, the laborious tillers of the soil, were unable, or unwilling, to contract for the fee. By offering Leases in fee, or for long terms, at a very moderate rent—sometimes hardly more than nominal—MR. VAN RENSSELAER succeeded readily, in bringing a large proportion of his lands, comprising the greater part of the present counties of Albany and Rensselaer, into cultivation ; and thus securing to himself a valuable and competent income. This policy once adopted by him, was never changed. Nor did he ever after attempt, as he might easily have done, greatly to increase his current means derived from this source. The net returns from his lands, never exceeded, probably, two, if they did one, per cent upon them, considered as a capital at a very moderate valuation. But finding himself in the receipt of a current income, large enough for his simple and unostentatious habits, and those of his family, with something liberal to spare for his charities, he was not only not desirous of adding to his wealth by enhancing his receipts, but he was positively and strenuously averse to such a course.

He had none of that morbid appetite for wealth which grows ravenous by what it feeds on. And this it was, I have no doubt—the strong disinclination to cumber himself with useless accumulations—which led him to neglect improvements, suggested often by the interest of others, and on account of which, because he could not bring himself to feel and indulge that passion for profit and gain which consumed those around him, he was sometimes subjected to heavy censures.

MR. VAN RENSSELAER received his first military Commission, as a Major of Infantry, in 1786; then at the age of twenty-two; and he was promoted to the Command of a Regiment two years afterwards. In 1801, Gov. Jay directed the Cavalry of the State to be formed into a separate Corps, divided from the Infantry to which the Horse had before been attached. The Cavalry formed a single Division, with two Brigades, and the command of the whole was conferred on MR. VAN RENSSELAER. This Commission of Major General of Cavalry he bore to his death.

In presenting, as nearly as may be in the order of time, the events of this good man's life, I must

not omit to mention one in this place, certainly of no inconsiderable importance, if only considered as affecting our right judgment of his character. It was in the spring of 1787, when he was short of twenty-three years of age, in the vigor of manhood, just on the threshold of mature life, which sparkled brightly before him, with large possessions, and wealth enough to lay the world under contribution for whatever it can afford to pamper appetite and passion, and supply the means of wanton and luxurious indulgence; it was then, and under such circumstances, that he deliberately chose, by a formal profession of religious faith, and a personal vow of religious obedience, according to the doctrines and discipline of the Christian Church as adopted by the Dutch Reformers, to pledge himself to a life of temperance, simplicity, truth and purity. How well he kept his vow, is known to all who had occasion to observe him; and how eminently he was blest in keeping it, was seen in all those quarters, where, I think, the Christian is wont to look for the promise of *the life that now is*—in the calm and quiet of a peaceful existence, in domestic relations of the most tender, harmonious and beautiful cha-

racter, and in a resigned, appropriate and happy death.

Towards the close of the year 1787, the Convention which sat at Philadelphia to frame the Federal Constitution, terminated its labors, and submitted its work to the judgment of the people. All over the country a desperate conflict arose, and, no doubt, the fate of the Republic was suspended on the issue. MR. VAN RENSSELAER took ground promptly and decidedly in favor of the Constitution. In the Spring of 1788, Delegates to the State Convention, which was to pass sentence of condemnation, or approval, on the Constitution, in the name of New York, were to be chosen from the county of Albany. The anti-federal party, strong throughout the State, was particularly formidable here. This was the residence of YATES and LANSING, both popular and influential, and both of whom, having acted as Delegates, had left the Convention at Philadelphia before its labors were finished, and published a joint letter to the Governor, setting forth their reasons for refusing to put their names to the Constitution. That their counsels, and the counsels of those with whom they were

associated politically, would prevail in this quarter of the State, on this important trial of the strength of parties, was hardly to be doubted. Yet were the friends of the Constitution bound to make the effort, and, in so doing, to leave no part of their moral force out of the controversy. With this object, MR. VAN RENSSELAER was solicited, and consented, to stand as a Candidate for the Assembly, at the same election. The sway of anti-federal opinions and feelings at the period, may be estimated from the fact that, with all his personal popularity and influence—already very great in the district—he was beaten by an overwhelming majority. But popular majorities, even where the right of voting is restricted as it then was, are not always remarkable for their stability; and happy they should not be—certainly when they chance to be in the wrong.

The Constitution having been adopted after a fearful struggle, the government was to be organized and put in full operation under it. Ground enough of difference in regard to it, was still left—barely enough—for parties to stand on; but the popular mind began to sway strongly over to the side of the Constitution. In the Spring of

the very next year, 1789, MR. VAN RENSSELAER was again a candidate for the Assembly, and was now carried into office by a majority nearly as great as that by which he had been before defeated. And now, having once got right, never was a constituency more steadfast to a faithful public servant. In the course of the next forty years after, he had occasion often to try the strength of their attachment to him; and on no occasion did the county of Albany, whether comprising more or less territory, and whether the elective privilege was less or more extended, ever desert him.

The first Session of the Legislature, to which MR. VAN RENNSLAER was now elected, was held in the summer, under the Proclamation of the Governor, for the special purpose of electing, for the first time, Senators in Congress. The same question which has since, and more than once, been agitated, respecting the mode of election, divided the councils of the State at that period. The federal party, and those who desired to clothe the Federal Government with all necessary strength and stability, insisted on a mode of election which should give the Senate, equally with

the popular branch of the Legislature, a separate and independent action. **MR. VAN RENSSELAER** was of this number. The anti-federal party preferred a mode of election, by joint ballot or otherwise, which should subject Senators in Congress more certainly to the popular will of the State, as it should be currently expressed in the annual elections to the Assembly. The question to be sure was one growing out of the language of the Federal Constitution, and, therefore, a question of constitutional law; but men of different parties at that day, as well as at this, were wont to read the Constitution through an atmosphere of their own, usually too much clouded to allow the light from any objects to pass through it in straight lines; hence of course they read it differently, and not unfrequently both sides read it wrong. The Legislature on this occasion separated without settling on any mode of electing Senators—except for itself; Senators were elected by the Joint Resolution of the two Houses.

MR. VAN RENSSELAER was now fairly embarked in political life. The next spring—1790—he was elected to the Senate of the State, from the *Western* Senatorial District. When we look

over this State, and see what the West now is, we hardly know how to credit the fact that, within so few years, the County of Albany, on the North River, was one of the Western Counties of the State. In the spring of 1794, the same Senator from the same Western District was re-elected. He was a member of the Senate from his first election down to 1795. In the whole of this Legislative period, he was a faithful, vigilant, highly influential and useful member. There were few standing Committees at that period; but he was from the first, and always, a member of one or more of these, and always of the most important.

In the second year of his senatorial services, 1792, parties were thrown into a prodigious ferment by certain proceedings of the State Canvassers, in regard to a portion of the votes taken at the Gubernatorial election of that year. Mr. Jay and Mr. Clinton had been the opposing candidates. The popular voice had declared itself, by a moderate majority, in favor of Mr. Jay; but the Canvassers found some informalities, and legal difficulties, which induced them, by a party vote, to reject the returns from three counties, by which

Mr. Jay's majority was lost, and Mr. Clinton was declared elected. When the Legislature met in the autumn, petitions were poured in upon it from the people, and a legislative investigation was had. It appeared in testimony, that the rejected ballots had at first been regularly deposited in appropriate boxes in the record-room of the Office of the Secretary of State; and that afterwards, without consent obtained at the office, Mr. Thomas Tillotson, a State Senator, and one of the Canvassers, in the presence however of several of his fellows, took from their place of deposit among the archives of the State, the boxes containing the rejected ballots, and committed them to the flames. However pure the motives for an act of this sort, the act itself was not one which was likely to meet the approbation of the pure and single-minded VAN RENSSELAER. His scornful reprobation of the part enacted by Mr. Tillotson, uttered in no equivocal terms, brought him into a personal collision with that gentleman, which was likely to put his life, or his reputation, or both, into imminent hazard. But those who attempted to deal with him had quite mistaken the temper of the man. Though one of the mildest of men in his ordinary

demeanor, he was yet one of the firmest. He was the last person on earth to be moved by intiminations. Being in the right, or thinking himself so, he would allow nothing to be wrung from him which would abate, by a feather's weight, the full moral force of the language he had used. Happily, this admirable firmness, with the steadiness and quiet which distinguished his manner, when most pressed upon by difficulties and danger, saved him from an abyss into which, no doubt, the least wavering or trepidation would have plunged him.

When the next election for Governor approached, in 1795, Mr. Jay was again placed in nomination, and, with him, MR. VAN RENSSELAER was nominated for Lt. Governor. The circumstances under which Mr. Clinton had served, as Governor, during the current term, were deemed, by his party, such as to render unwise his re-nomination at the present time. Mr. Yates and Mr. Floyd were the opposing candidates. Mr. Jay and MR. VAN RENSSELAER were elected by handsome majorities. In 1798, both were re-nominated, and both re-elected, to the same offices. On this occasion, Chancellor Livingston was Mr.

Jay's opponent—only very lately his strong friend, political as well as personal. The Lt. Governor had no opposing candidate. He was named universally throughout the State, by the anti-federalists, on their ticket with Chancellor Livingston. The design was to detach him, if possible, after the example of the Chancellor, from the federal party, and from the support of Gov. Jay. No doubt it was in his power to have given to the Chancellor and his friends a complete triumph. It is probable that no one individual in the State, at the period, carried with him a greater personal influence and sway. So desirable was it deemed to secure him, or at least to make the people believe he was secured—that the Chancellor's party did not hesitate to employ the fact before the electors, though without the least warrant, as if it had been true. Of course, he took the most prompt and effectual measures, to disabuse the public mind on a point of so much importance.

I will not hesitate, on an occasion like this, and when dealing with matters of great historical interest, to say what I think. I think, then, that New York has never seen so pure an administration of its government, as that which was conduct-

ed by Mr. Jay. I think this is already the settled verdict of an enlightened public sentiment. He could not have had, during the six years of his administration, a purer, or more worthy coadjutor than Lt. Governor VAN RENSSELAER. Never could there have been, or could there be, a moral spectacle of higher beauty, than was seen in the lofty and universal harmonies of thought and intent, of feelings, character and purposes—the perfect blending of harmonious colors, till nothing was visible but the white light of truth and integrity—when the honest and true-hearted Huguenot, and the honest and true-hearted Dutchman united to administer the government of a free people.

It is not surprising then, when the community—such of them as were attached to the administration and principles of Gov. Jay—came to look after a fit person to be his successor, that all eyes should have rested on the Lt. Governor. In January, 1801, a large body of the most respectable freeholders, from various and distant parts of the State, assembled at the Tontine Coffee House in Albany, and unanimously named MR. VAN RENSSELAER as their candidate for Governor at

the ensuing election. How he received this mark of public approbation and esteem, and with what difficulty his acceptance was finally obtained, appears from the publications of the time. His opponents, for lack of better matter, took serious exceptions, if not to him, to his party, because he had given to the invitation, more than once, a positive refusal. His nomination was enthusiastically seconded in the City of New York, and in public meetings held in every quarter of the State. His election was advocated everywhere by his friends, on grounds which shewed that his character—young as he was—was already developed, and was thoroughly understood and appreciated. His competent acquaintance with the interests and business of the State ; his tried and reliable judgment ; his unconquerable firmness ; his decision and energy in emergencies ; his purity ; his many virtues ; his retiring and domestic habits ; his humility ; his urbane and gentle manners—these were the qualities attributed to him by his friends, and in no case denied by his opponents. The rage of party politics was becoming extreme, and, in their rancor, poisoned the blood of friends and families, and seemed ready, vulture-like, to

tear the vitals of the Republic. He was the man—so at least his friends thought—above any other man of the period—the man of peace—fitted to soften the asperities, to reconcile the enmities and calm the turbulent agitations of the time. If his opponents thought differently, they scarcely ventured to say so. They thought he was rich, and that those with whom he had business relations would be likely to vote for him, and hence they thought the genuineness of his republican principles was fairly to be doubted—this they thought, and this they ventured to say. But I should do a great wrong to the party opposed to him, if I should leave it to be inferred that he was defeated on such grounds—or that I supposed so. Mr. Clinton, after having been laid aside for six years, was now brought forward as his opposing candidate. Mr. Clinton was popular, and there was much in his character and history to make him deservedly so. But besides this, the Republican party—in which the anti-federalists were now merged—had acquired prodigious strength from the serious apprehensions which were felt in the country on account of some of the measures, and the apparent tendencies of the Federal Govern-

ment, in the course of the last four years. In the midst of the campaign in this State, the election of Mr. Jefferson to the Presidency was announced; the fate of parties in this State was decided, and decided for a long time to come. MR. VAN RENSSELAER was defeated, by a majority of a little less than four thousand votes.

With this defeat, MR. VAN RENSSELAER's official service in the civil departments of the Government—with a single exception, to which I shall advert directly—was ended for several years. I feel certain that, on his own account, he was very far from regretting this discomfiture. It left him, as it chanced, the very leisure and quiet, which he needed. It was in the month of March of this year, and while the election canvass was going on most actively and virulently, that he was called to part with the companion and wife of his youth. How sensibly he was affected by it, I have reason to know, when nearly thirty years afterwards, he referred to this event in a very touching manner, and, with many tears, poured his generous sympathy into the bosom of a friend under similar bereavement. By his first marriage, he had three

children, one of whom only—his eldest son—survives.

In October, 1801, a State Convention met at Albany to consider and revise the Constitution, in regard to two specified subjects. One of these subjects was the proper construction to be given to the twenty-third Article of the Constitution, which established the old Council of Appointment. A violent party controversy had arisen in Mr. Jay's time, concerning the right of nomination. It was claimed by the Governor, from precedent and otherwise, to belong exclusively to him; the members of the Council challenged an equal right to make nominations. The Convention was called mainly to determine this question, and, having a strong party character, was regarded as having been instructed to reverse the doctrine and decision of the Governor. The subject of our Memoir was a member of this body, and was opposed to the majority. Col. Burr was the President, but MR. VAN RENSSELAER presided during much the greater part of the deliberations, as Chairman of the Committee of the Whole.

In May, 1802, MR. VAN RENSSELAER formed an appropriate, and highly fortunate and happy

matrimonial union with Cornelia, only daughter of the late William Patterson, a distinguished citizen of New Jersey, and one of the Judges of the Supreme Court of the United States. This excellent lady, and nine children of the marriage, survive the husband and father. Delicacy would forbid my saying more of the living than concerns the just memory of the dead. These children are all of an age to have developed already their individual characters; and to those who, like myself, believe that the characters of children, as a general thing, are just what they are educated to be at the domestic board, they afford the most satisfactory and gratifying proof that the example, instruction and influence of the parents have been worthy of all approbation.

In 1807, the subject of our notice was elected to the Assembly, and with him, as a colleague, his early and tried friend, Abraham Van Vechten. They were elected and served together in the Assembly for three successive years.

In 1810, he was called to a new and distinguished service. In March of that year, a Commission was instituted by the Legislature, for exploring a route for a Western Canal; and then

was laid the foundation of that great system of Internal Improvements by which New York has so much signalized herself. Seven persons composed the Commission—though all, I think, did not act. Mr. VAN RENSSELAER's was the second name; the first was that of Gouverneur Morris; Mr. Clinton was one of the number. In the summer of this year, these gentlemen, accompanied by a surveyor, personally inspected and explored the route of a Canal from the Hudson to Erie. They travelled for the most part on horseback; not always without serious difficulty and much deprivation, from the uncultivated state of the country; sometimes they made the Canopy their covering and shelter for the night. They made their Report in February, 1811. Mr. VAN RENSSELAER was in the Assembly when the project of this Commission was first agitated, and, startling as the idea was to most men at that day, he entered warmly and heartily into the measure, and contributed materially to its success, by his exertions and influence. From the earliest period, he was the unwavering and efficient friend of the Erie Canal.

The favorable Report made by the Commis-

sioners on this occasion, drawn by Mr. Morris, with consummate ability, and yet not without great defects, gave an impulse to the Canal project which it never wholly lost, though it shortly after suffered interruption by the intervention of the war. In April, 1811, the Legislature again acted on the project, by raising a Commission to consider "of all matters relating to inland navigation." MR. VAN RENSSELAER was still one of the Commissioners. It was proposed by this Commission, to enlist Congress, and as far as possible the States individually, to contribute their aid and support to the work—a scheme which, most happily, completely failed. In March, 1812, the Commissioners reported, and appealed strongly and eloquently to the pride of New-York, to construct the Canal, from her own resources, and on her own account. The appeal was so far effectual, that the Legislature, in June, authorized them to borrow five millions of dollars, on the credit of the State, for the prosecution of the enterprise. The war occurring just then, the project slept for nearly four years.

The War with Great Britain was declared in June, 1812. This occurrence brought with it,

the great crisis in the public life of our worthy and distinguished fellow-citizen. The country was without any adequate preparation for the conflict; a state of things which, from the necessity of our political condition and the frame of our institutions, must always exist, I apprehend, whenever, and as often as we may be driven to make our appeal to arms. Such, at any rate, was the case now. Gen. Dearborn had been assigned to the command of the Northern frontier, with some undigested designs upon Canada. He established his Head Quarters at Greenbush, as being on the open and natural military route to the enemy's territory, by way of Lake Champlain. But there was a great deficiency of troops for any offensive operations. A regular army, of much magnitude, is not to be recruited and disciplined for service, in such a country as ours, without time. And hence the necessity in all such cases of a resort to the Militia. The first reliance for defence, at least, if not for conquest, must be upon citizen soldiers. A requisition was made on Gov. Tompkins, to order into immediate service a considerable body of New York Militia. The patriot Governor promptly obeyed the requisition,

and selected Major General STEPHEN VAN RENSSELAER for the Command.

The public relations between these two individuals were peculiar, and deserve to be stated. They were already regarded as rival candidates for the Chief Magistracy of the State at the next Spring's election—the friends of the General having already named him for that office in their own circles. The lines of party, too, were now very distinctly drawn, and it was the war that was made to divide them. The federalists were charged by their opponents, not only with being hostile to the war as having been both premature and unnecessary, but also with dispositions and designs averse to its vigorous or successful prosecution. Gen. VAN RENSSELAER was a federalist, and about to become the candidate of the federal party for the office of Governor, and to him, therefore, without any express declaration to the contrary, might, perhaps, with an equal show of justice, be attributed the same unpatriotic and odious sentiments which were imputed to the great body of his friends. Without any desire, or attempt, to penetrate the motives which led to the selection of the General for command under

such circumstances, and admitting that they might have been good and even generous, it is easy to see that, personally, the General was placed in a position of extreme embarrassment and hazard, and that results of great political importance might flow from any determination he might make. If he should decline the command, the proof of a culpable defection, against both him and his party, would be complete. On the other hand, considering his own inexperience in the trade and business of war, the impracticable materials he had to deal with, and the very extraordinary extent of exposed and defenceless territory committed to his immediate military care and keeping—being no less than the entire “Northern and Western frontiers of the State between St. Regis and Pennsylvania”^{*}—considering these things, and considering, too, how often misfortune alone, in warlike operations, though accompanied with unexceptionable conduct, brings with it the most thorough disgrace, we cannot help seeing that his acceptance of this command must subject him, personally, to a fiery

^{*} General Orders of the Commander in Chief—July 13, 1812.

ordeal, from which he might escape unharmed, and possibly with a burnished and brighter fame, but where the chances were fearfully prevalent that he would be utterly consumed.

But the noble-minded man did not for an instant hesitate, when the question was between a probable sacrifice of himself, and a possible service of great value rendered to his country within the line of his admitted duty. Whatever might be the views of other federalists, his own were sound and thoroughly patriotic. It was his country that called him to the field, and that was a voice which he could never disobey. Nor was he a loiterer, or a laggard. In an incredibly short time, after receiving the order, he had formed, with excellent and ready judgment, his military family, thrown off the citizen and put on the soldier, and, having taken hasty leave of the domestic circle at the Manor House—from which he parted under circumstances of the most delicate and tender interest—he took up his line of march for the Frontier. In ten days only from the date of his orders, we find him at Ogdensburgh, having visited and inspected the post at Sackett's Harbor, on his way. On the 13th of August, he

was in the camp at Lewiston—just one month from the date of the call that had been made upon him ; and just two months from that day—on the 13th of October—in one of the most gallant and brilliant affairs of the whole war, he carried his victorious arms into the enemy's territory, and planted the American flag triumphantly on the Heights of Queenstown. Unhappily, it was a triumph of brief duration. He gained a complete and glorious victory ; sufficient, if maintained, as it might have been, to have secured the Peninsula of the Upper Province of Canada for the winter, as a conquest to the American arms ; but a victory lost as soon as won, by the shameful cowardice and defection of his troops.

I cannot, in this place, enter into a history of this campaign, or of the brilliant, but finally disastrous affair with which it closed. The abundant materials are already before his countrymen, from which their judgment, and that of posterity, will be made up. There, I think, with perfect security, may his friends rest his claims as a military Commander. His merits in this respect will brighten, as the current of time runs on, and wears away the error, the envy and the prejudice

of the day. It is the soldier's hard task to conquer difficulties, as well as enemies. He did it. It would not be easy to find another instance, in which an army has been gathered—created I may say—and formed into a well-trained and well-disciplined corps, fit for active and efficient service, in so brief a space of time, with such wretched materials, under such adverse and discouraging circumstances, and where there was such an utter destitution of appropriate and necessary means. The plan, too, which he projected, for bringing the brief campaign to a brilliant close, the moment that he found himself possessed of an army—by which he proposed to conquer and possess himself of an extensive border territory of the enemy ; cut off the forces of the enemy in the upper country, just flushed with victory, from all communication with the lower country ; wipe out the disgrace with which the American arms had been already tarnished in that quarter ; procure winter lodgings for his soldiers in the comfortable dwellings of a British town, easily and safely accessible with all kinds of supplies ; and be ready, in the Spring, to begin a new campaign, with superior and eminent ad-

vantages already secured—a plan perfectly practicable, with reliable troops—not only justifiable at the time he formed it, but positively justified by every thing that subsequently transpired—this plan must forever commend itself to the approval and admiration of his countrymen, as having been formed with the discretion, the judgment and the skill of a master in the trade of war. I allude, here, to his enterprize originally planned, by which Fort George would have been stormed by the regular troops, while he should have carried the Heights, and by which, at one blow, the conquest of the Peninsula would have been complete—an enterprize which certainly failed only for want of co-operation, where co-operation was due by every consideration of patriotism and honor.

In regard to the enterprize, which he actually attempted, and which formed only a part of the original design, there is little hazard, at this time of day, in saying, that it was perfectly feasible, well devised, and skillfully executed. It was, moreover, as an enterprize, completely successful. With a mere handful of men, the Heights were carried early in the morning, under the direction

of his Aid, the brave Col. Solomon Van Rensselaer ; and they remained in his possession till late in the afternoon of that day. The position was one that was easily defensible, and he had within trumpet-call men enough, twice or thrice over, to have maintained it, and put at defiance any force with which the enemy might or could have assailed him. And yet, after all this, he must see his victory turned into defeat and his triumph into disaster, by the shameful refusal of his yeoman soldiery, under the plea of constitutional scruples, to march into the safe camp that had already been won for them on the other side of the lines !

The official account of this affair, furnished by the Commanding General the next day after its occurrence, was strongly characteristic of the man. It was a simple and unvarnished relation of facts and events ; the truth was plainly told ; but no complaint was made, no reproaches were uttered. His own duty had been done, and fearlessly and faithfully done ; and with perfect equanimity and confidence he submitted himself to the judgment of his Country. He expressed

regrets on her account, but he intimated none whatever on his own.

In the sequel of this severe and sanguinary conflict, the General found occasion for the exercise of that sympathizing and generous kindness by which he was so much distinguished ; and he seems to have met in the British General Sheaffe, a correspondent temper. On one side, General Brock had fallen ; on the other, Col. Van Rensselaer was desperately wounded ; and there were other brave spirits on both sides, who had shared the fate of one or the other of these. A cessation of all hostile demonstrations was agreed upon. For six days, the throat of brazen war was closed, while, with the tender of mutual services, the parties on either side proceeded to discharge the offices of humanity due to the living, and pay to the dead the appropriate tribute and ceremonies of respect. Gen. Sheaffe offered every thing his camp could afford to promote the comfort of the wounded Col. Van Rensselaer. Gen. VAN RENSSELAER informed his antagonist that he should order a salute to be fired at his camp, and also at Fort Niagara, on the occasion of the funeral solemnities of the brave and la-

mented Brock. "I feel too strongly," said the stern but afflicted Gen. Sheaffe, "the generous tribute which you propose to pay to my departed friend and chief, to be able to express the sense I entertain of it. Noble-minded as he was, so would he have done himself."

With the campaign just referred to, closed the services of GEN. VAN RENSSELAER in the field. The next Spring, 1813, the Gubernatorial election was to come on, when the contest for power in the State between him and Gov. Tompkins, or rather between their respective parties, was to be decided. The General's friends shewed that, in his brief military career, he had lost none of the high consideration and confidence with which they had been used to regard him, by placing him promptly, and with great unanimity, in open nomination as their candidate for the Chair of State; and when the time came, they gave him a hearty support. But his party was found to be, as it had long been, in a minority. He was defeated, but with a majority against him of only 3600, out of eighty-three thousand votes which had been cast in the canvass.

With no disquieting ambition for political dis-

tion, and a candidate for high office at any time, only by a reluctant submission to the will and judgment of his friends, Gen. VAN RENSSELAER was not a man to feel any regrets on his own account, for defeat at an election canvass. In his own affairs, in his own family, and in the secret opportunities which he was always seeking for the practice of benevolence, he had resources enough for the agreeable and useful occupation of all his time.

During all the period of the war, it should be remembered, that the Commission which had been instituted for the promotion of Internal Improvement, by a great Canal, and of which he was a member, continued in existence. The war was no sooner ended, than measures were taken to revive the subject, and the interest which had been felt in it. A Memorial, on the subject, of great ability, drawn by Mr. Clinton, was presented to the Legislature of 1816, and in March of the same year, the Commissioners, with MR. VAN RENSSELAER at their head and acting as Chairman, presented their Report, setting forth the difficulties which had been interposed to prevent the execution of the trusts confided to them four

years before, and urging the Legislature to renew the authority, to adopt immediate measures for the prosecution of the enterprize. In April, 1816, the law was passed by the Legislature, which authorized and directed this great work to be entered upon; and the management and execution of it were committed to a Board of Canal Commissioners, of whom—as usual—Gen. VAN RENSSELAER was one. From that period down to his death, he was a member of that body, and he was the President of the Board for nearly fifteen years—from April, 1824, when the name of his friend, the great Clinton, was struck from the roll of Commissioners. In the Spring of 1816, he was again, and for the last time, elected to the Assembly of the State; and his presence and influence in that body in the Session of 1817, were especially useful as affecting those immense interests—as yet but little understood, much abused and contemned, and most violently opposed—which belonged to the Canals, and the system of Internal Improvements, then in the extremest weakness of their infancy.

I shall have occasion directly to advert more particularly to the important services rendered by

Gen. VAN RENSSELAER to the cause of Learning and Education; and I will simply refer, therefore, in this place, as being in the proper order of time, to the official connection which he had with our State system of Public Instruction. In March, 1819, he was elected by the Legislature a Regent of the State University, and at the time of his death he was the Chancellor, having been elevated to that station, on the decease of the late venerable Simeon De Witt, in 1835.

In 1821, the present Constitution of this State was formed. In the progress of time, since the old Constitution was framed, ideas were found to have advanced also. Changes were deemed necessary, as well to meet a condition of things in some respects new, as to satisfy the demands of a generation which thought itself—and should have been, if it was not—wiser than that which had preceded it. But wherever the spirit of reform is abroad and active, and speculations and theories in matters of government are broached freely, and Councils are to be held with a view to giving body and effect to the conceptions of ardent minds, it is not unimportant to secure the presence and assistance of a few men of conser-

vative tempers and habits, in order to make sure, if possible, that the deep foundations of things shall not be wholly broken up, nor the moral elements of society utterly dissipated and destroyed. In the Convention of 1821, a few spirits of this sort were gathered, and of these, by no means the least valuable among them, was STEPHEN VAN RENSSELAER. He brought with him there, his character—one of uncommon purity; his experience—not now inconsiderable; his steadfastness of principle; his notions of men and things—descended from old schools, but fashioned and modernized in the new; his excellent strong sense, and his judgment of almost intuitive accuracy and soundness; and with such qualifications, without being accustomed either to write much or debate much, it would be hard to say if there was another member of the Convention, among all the great and good names that belonged to it, who was more valuable, or more indispensable than himself, if the business of that body was to be brought to a safe and happy conclusion.

In considering the doings of that Convention, it is evident that nothing, in all the various business

undertaken by it, was equal in magnitude of interest to the single question in regard to the Right of Suffrage. Here the firm foundations both of Government and of Freedom were to be laid; while the danger was that, at this very point, if not sufficiently guarded, a flood might be let in to sweep both Government and Freedom away in ruins. MR. VAN RENSSELAER was one of the Committee appointed to consider and report on this momentous subject. He dissented from the Report made to the Convention by a majority of the Committee, and he submitted to the Convention a Proposition of his own, as a substitute for the Report, which he accompanied with some remarks, briefly explanatory of his views and apprehensions on this great question.

It must be remembered, that up to this period, none but freeholders had been allowed to vote for the higher officers of government. Not only had a property qualification been adopted, but retaining the old notions, evidently of feudal origin, respecting the superior value and sacredness of landed possessions, the former Constitution of the State had thrown the higher and most important branches of the government exclusively

into the hands of the landed interest. MR. VAN RENSSELAER was the largest landed proprietor in the State, and he had inherited his interest in the soil originally from a feudal source, and held it by a feudal title; but he was an enlightened and patriotic citizen of a free State, and, as such, he was ready to take his chance with others under the protection of a government essentially popular and free. He had no difficulty whatever in agreeing to the propriety of at once abolishing the old distinctions between landed and personal property as affecting the higher rights of citizenship, and making the qualification of electors for all the officers of government equal and uniform. And he was equally ready to abandon the notion of a property qualification of any sort for electors. He agreed perfectly to the principle—which was the one professedly adopted by his colleagues of the Committee—that those who really contribute to the support and the defence of the government, should make the government. So far he was willing and anxious to go; but here he would stop. He insisted upon guarding the principle strictly, by limiting the privilege to such as should seem to have something of the

character of fixedness and stability in their residence, and their attachment to the State, and he was entirely unwilling to extend this privilege—to use his own expression—to “a wandering population, men who are no where to be found when the enemy, or the tax-gatherer comes.” Believing that, in pushing a theory into details, the Committee would violate the maxims of a sound and practical policy, by some of their propositions, he felt himself bound to dissent from the conclusions of their Report. He conducted his opposition, before the Convention, as he had done in Committee, in his own direct and manly way; and presenting a distinct Amendment of his own, he exerted himself to induce the Convention to place the Right of Suffrage on a ground, at once, according to his opinions, of great liberality and of perfect safety. But his opinions were not the opinions of the majority of the Convention, and his efforts, and the efforts of those with whom he was more immediately associated, though not without their strong and salutary influence, were in the main unsuccessful. After a long and laborious Session, the new Constitution was adopted by the Convention. There had been other

subjects of disagreement, of great magnitude and importance, among the members; and MR. VAN RENSSELAER, with twenty-two others, declined to give their assent and sanction to the Instrument, by putting their names to it.

In 1819, the Legislature of this State was induced, through the exertions of a number of disinterested and patriotic gentlemen, among whom was MR. VAN RENSSELAER, to pass an Act for the encouragement and improvement of Agriculture. A sum of money was appropriated, to be divided rateably among the several Counties of the State; County Societies were to be formed with the proper officers; and the Presidents of these Societies, or Delegates instead of the Presidents from such of them as should choose to elect them, were to form a Central Board of Agriculture. Such was the outline of the proposed organization. In January, 1820, the Presidents, or Delegates, from twenty-six County Societies, already organized, met at the Capitol in Albany, and elected STEPHEN VAN RENSSELAER President of the Board. The life of this Board of Agriculture was made a very brief one by law, and when the legal limit was out, it

was suffered to expire. It lasted long enough, however, to demonstrate the inappreciable value of legislative aid and encouragement to the Agricultural interest ; and it raised to itself an enduring and noble monument, by the publication of three very valuable volumes of Transactions and Memoires.

Each of the first two volumes of the Board, contains, amongst other things, a very curious and remarkable Paper. These Papers present a complete view of the Geological and Agricultural features of the Counties of Albany and Rensselaer, as gathered from accurate and minute surveys, and from actual and extensive analyses. They are the Reports of distinguished scientific gentlemen, employed, exclusively at the expense of the President of the Board of Agriculture, to make the examinations and surveys, the results of which are here embodied. It was believed then, and it is believed now, that these were the first attempts made in this country, "to collect and arrange Geological facts, with a direct view to the improvement of Agriculture." The time, perhaps, has not even yet come, when the incalculable advantages of such a labor are gene-

rally appreciated; but I express only my humble and sober conviction, when I say, that in the example of these attempts, and their success—followed up as they will be in time, to swell the profits and increase the business and the benefits of Agriculture, and withal to connect this employment with better knowledge, and a competent degree of scientific attainment, in the cultivators of the soil—he has rendered a higher service to his country, than if he had been the man to win twenty hard-fought battles for her in a just and necessary war.

The laws for the encouragement of Agriculture expired, as I have said, by their own limitation; and all attempts to revive them from that day to this—strange that it should be so—have proved utterly unavailing. But MR. VAN RENSSELAER, though without any convenient Society, or Board of Agriculture, under cover of whose name he might pursue his plans for the benefit of the State, had only just now entered on a series of extraordinary efforts and experiments for the advancement of science, of education, and the public prosperity, which he afterwards prosecuted with equal perseverance and effect.

After the surveys of the counties of Albany and Rensselaer had been completed, under his direction, presenting, besides a view of their Geological formations, a thorough analysis of their soils, in all their principal varieties—on a plan new at the time, and since extensively approved and employed—and accompanied, particularly in the survey of Rensselaer county, with a view of the proper Methods of Culture adapted to the various soils; and after he had caused the Surveys to be published, at his own cost, in a separate and convenient form, for extensive and gratuitous distribution; he next turned his attention to a more extended scientific survey, to be carried through the entire length of the State on the line of the Erie Canal. This was commenced and prosecuted, under his orders, in the fall of 1822, by Professor Amos Eaton, aided by two competent Assistants. The next year, by the direction of his Patron, the work was resumed, and the survey greatly extended. The truth seems to be, that, although the surveys of Albany and Rensselaer Counties were made, at the time, with an avowed and more immediate reference to the interests of Agriculture, yet they

were not, even then, unconnected with a plan which had been formed for offering a large and generous contribution to the science of Geology. This plan embraced a particular examination of the strata and formation of American rocks, by the survey of a transverse section, running across the great primitive ranges of New England, and the transition and secondary ranges of Eastern and Western New-York. With the experience obtained in the local examinations already referred to, and a partial review of the Erie Canal line, Professor Eaton completed, in 1823, his grand Survey. His section extended from Boston to Lake Erie, a distance of about five hundred and fifty miles, stretching across nine degrees of longitude, and embracing a belt about fifty miles wide. At the same time, Prof. Hitchcock was employed to make a similar survey of a section across New England, a few miles North of that taken by Prof. Eaton. In 1824, a Publication was made, containing the results of these surveys, with maps exhibiting a profile view of the rocks in each of the sections. It is not, I believe, to be doubted, that this work presents a connected view of mineral masses, with their na-

ture and order, taken from actual inspection and survey, of greater extent than had ever before been offered to Geology. Discoveries were made, and a mass of facts was gathered, which could not fail, as they did not, to arouse and quicken enquiry and investigation, and contribute essentially and largely to advance Geological Science. Attention was strongly attracted, both in this country and in Europe, to the very creditable and faithful labors of Prof. Eaton, prosecuted under the direction of his munificent Patron; and this example it was, unquestionably, which has led, at last, to the adoption in several of the States, and this among the number, of plans for exploring their territories at the public expense, in search of scientific facts, and of the mineral riches, and other substances of economical value, to be found upon or beneath the surface of their respective portions of the earth.

But the crowning effort of this good man's life—whom we have now followed on, in his career, to his three score years—remains to be noticed. It was an effort in behalf of the dearest interest of his country, and of mankind; it was

an effort to advance the cause of Education, and human improvement. He had satisfied himself that there were great defects in the ordinary and prevalent systems of Instruction ; at any rate he saw that some of the most useful subjects of human knowledge were scarcely communicated at all, in quarters where they seemed most needed for the practical purposes of life ; and he determined that the proper remedy, if possible, should be applied.

His first movement was to employ Prof. Eaton, with a competent number of Assistants, to traverse the State, on or near the route of the Erie Canal, with sufficient apparatus, specimens and the like, and deliver, in all the principal villages and towns where an audience of business men, or others, could be gathered, familiar Lectures, accompanied with experiments and illustrations, on Chemistry, Natural Philosophy, and some or all of the branches of Natural History. This scientific and educational progress through the State, was made in the summer of 1824, at the Patron's cost ; inconsiderable contributions only having been made in the villages where Lectures were delivered. The experiment was entirely successful ;

a prodigious interest in behalf of natural science had been excited; and the Patron was encouraged to prosecute a plan of operations which he had meditated for a considerable time.

He had long been accustomed to send the schoolmaster abroad among the poorer portions of his numerous tenantry; and he had been led to observe, as the result of these experiments—having been obliged to employ persons, for this service, of very slender qualifications, for want of better—that the improvement of the masters, as a general thing, was much more considerable than that of their pupils. It was from this hint, that he was led to consider, and finally to digest, a plan for a school, the leading feature of which should be, that the learner should himself take the place, and perform the regular duties, of teacher or instructor, in all the business and exercises of the school. Securing, in this way, as he believed he should, the most ready and thorough improvement of the students, he proposed that the chief business of the School should be to furnish instruction “in the application of Science to the common purposes of life.” He declared one of his principal objects to be “to qual-

ify teachers for instructing the sons and daughters of Mechanics, in the application of Experimental Chemistry, Philosophy, and Natural History, to Agriculture, Domestic Economy, and the Arts and Manufactures.”

On the 5th of November, 1824, having provided a suitable building at Troy, and employed an Agent to procure the necessary Apparatus and Library, he enclosed to the Rev. Dr. Blatchford, a set of Orders for the government of the School, and requested him to proceed to its organization, and act himself as President of a Board of Trustees, whom he named. He named, at the same time, a Senior and a Junior Professor, whom he endowed with liberal salaries. The Senior Professor was Mr. Eaton, who had already been engaged to take the charge of instruction in the Institution. The School was soon after organized, and put into successful operation. In 1826, it was incorporated, and is now known as the Rensselaer Institute. Its success, under the care of the veteran Eaton, has been complete—but with a very heavy and continued outlay on the part of its generous Patron. Instruction in the Sciences is wholly experimen-

tal and demonstrative, and it is always, therefore, practical and thorough.

In 1828, the Patron, after having, at his own cost, established and liberally endowed this School, and while he was, then as since, bearing from his own purse, not less than one half of its current expenses, caused an invitation to be given to each County in the State, to furnish a student, selected by the Clerk of the County, for gratuitous instruction at the Institute.* The invitation was accepted in nearly all the Counties, and that large number of persons, within less than three years, was sent forth from the Institute, with a complete practical education, obtained without the cost of a dollar to them for tuition. Other instances of instruction there, wholly gratuitous, have not been wanting.

The Patron first proposed to himself to sustain this School, as an experiment, for three years, with a reasonable expectation certainly, that at the end of that time, if successful at all,

* The Patron, however, imposed on these Students a condition—the benefits of which would of course go to the Community—that they should instruct in their own Counties for one year, on the experimental and demonstrative method.

public attention would be sufficiently attracted towards this novel method, to enable him to hand it over to the community, with a confident reliance on the patronage of the public to support and perpetuate it. But all observation shews that no improvements are so slow in gaining adoption and support at the hands of the community, as improvements in the methods of Education. In this case, almost of course, while the Patron saw at the end of three years, that the advantages secured by his methods and course of instruction were great, beyond all his original expectations, he yet saw that the public must continue to enjoy them, if at all, for years to come, chiefly at his cost. He submitted to the sacrifice, and thus has this invaluable institution been continued for upwards of fourteen years.

The course of instruction in this Institution has been considerably enlarged since its organization, by the direction of the Patron. It may be described as a School for thorough and complete instruction in the circle of the natural Sciences, applicable, in any way, to the economy or the business of life, in all its civil departments—not, however, including those usually de-

nominated professional. The peculiarity in the mode of instruction, originally introduced, has been adhered to; and the distinguishing and eminent advantage gained by this peculiarity of method has been, not only that the students themselves have been thoroughly taught, and are ready, at all times, professionally or otherwise, to make a practical and highly useful application of their knowledge, for their own benefit or the benefit of others, but that, whether such is their occupation and business, or not, they go out to the world as an army of Teachers, so familiar with the various subjects of their knowledge, and so fitted and accustomed, from long habit, to impart it, that they become involuntarily the schoolmasters and instructors of every circle into which they enter. They are lights and luminaries to the prevalent darkness that may surround them, gentle and mild, but radiant and steady, in whatever orbit they may chance to move.

It is impossible to compute, or perhaps to give any rational conjecture, about the amount of good which has already been effected through this munificent and skillfully-devised charity—much more impossible is it to compass, in thought, the bene-

fits which coming generations must reap from that system and plan of Education, of which the example was first set, and the eminent utility satisfactorily tested, in the Rensselaer Institute. Schools have been set up on the Rensselaer method, in various and distant parts of our country; and it has been stated to me as a fact, from calculations actually made, that the Institute has itself furnished to the community, more experimental Teachers and Professors, State Geologists, Principal and Assistant Engineers on Public Works, and practical Chemists and Naturalists, than have been furnished, in the same time, by all the Colleges in the Union. If the half of this statement be true, the result, in this single particular, is a proud one for the memory of the Patron, through whose almost unknown munificence it has been effected.

But I pass to one or two other particulars, which must be noticed, before I close the history of the personal career of the subject of this Memoir. He was connected with the institution of Masonry, having been initiated as a Mason in 1786, when he was twenty-two. In this Association, as elsewhere, he was very early placed in official

station. He first held the post of Junior Warden, as I find it called; then of Senior Warden; and then of Master. In 1793, he declined any further election in the Master's Lodge. In 1825, an imposing Masonic ceremony was performed in this city, when he was installed in the office of Grand Master, the highest office in Masonry. The ceremony of installation was performed by Gov. Clinton, who was his predecessor in the same high office. Both the Past and the Elect Grand Master delivered Addresses; that of the former of great length, and full of power, beauty and brilliancy; that of the latter, in reply, was shorter, full of simplicity, mingled with sterling good sense, and characterized by his usual kindness, benevolence and fraternal affection. In 1826, he was re-elected to the same office; but he declined any further official connection with Masonry the next year. It is supposed that whatever there was, or is, in Masonry, worth knowing, he knew; and that he had been initiated into some mysteries connected with it, which, since the death of Baron Steuben, by whom they were communicated, were known to a very few others only, in this country. It is

well known, that no abuses committed in the name of this Fraternity, ever received the least sanction from him ; and certainly no man in our community thought, or spoke, with more unaffected abhorrence of the outrage, which, in 1826, was offered by Masons to an American citizen in the Western part of this State, than he did. He regarded this Institution as formed for practical and benevolent uses, and whatever connection he had with it, down to the last, was continued principally, as a convenient means of practising those secret acts of charity and kindness in which he so much delighted.

In December, 1823, Gen. VAN RENSSELAER took his seat, for the first time, in Congress, as a Representative from the City and County of Albany. He was continued in his place by re-election for three successive terms, and retired on the fourth of March, 1829. During his whole Congressional service of six years, he held the station of Chairman of the Committee on Agriculture. In March, 1824, he made a valuable Report to the House, in answer to a Resolution of enquiry touching the effect of the Tariff Laws on the interests of Agriculture. In Feb-

ruary, 1825, the imposing ceremony of an election to the Presidency took place in the House of Representatives. His vote determined that of the Delegation from this State in favor of Mr. Adams, and, as it resulted, produced the election of that gentlemen on the first ballot. GEN. VAN RENSSELAER never mingled in the conflict of debate; but he was not, for that reason, the less valuable or influential member. His faithfulness, his integrity, his eminent honesty, his kindness of manner, his ready perception of the true and the right in all questions presented for the action of the House, and his freedom from the prejudices and trammels of party, gave him a standing and influence in the House, far beyond what ever belongs, in such a body, to the mere ability, however distinguished, to conduct a skillful argument, or pronounce an eloquent harangue. The great moral sway which character alone, commanding general admiration and respect, bears in a deliberative Assembly, was never more conspicuous, than in the case of STEPHEN VAN RENSSELAER, in the American House of Representatives.

Our review of this eminent man's life is draw-

ing to a conclusion ; and it will occur no doubt to many, probably as strange, that as yet, no distinct notice has been taken of certain particulars, by which he was more known and distinguished in the popular estimation, than by any thing else—namely—first, his connection with various Societies, foreign and domestic, particularly with those whose objects were benevolent ; and, finally, his private charities. These have not been forgotten, but they cannot be enumerated in this Discourse. I may mention, in general terms, that he was an honorary member of many and various learned Associations, at home and abroad ; some pursuing particular branches of science, of arts or learning, and others more comprehensive and general in their objects. He was the President of several local Societies designed for charitable or religious uses ; while of the great Institutions of the day, so general as to be designated American, and employed to aggregate immense numbers, and combine their united strength for the prosecution of great Christian enterprizes, there was scarcely one, perhaps not one, with which he was not, or had not been, con-

nected by membership, and frequently by the highest, always by high official station.

In regard to his private charities, there are two difficulties in the way of any attempt to particularize them; one is, that they *were* private, and they are, therefore, to a great extent unknown; and the other is, that, so far as known, they are numberless. It would be tedious and difficult to enumerate the cases alone, in which he gave by hundreds and by thousands. Two of our American Colleges received from him, in one subscription, five thousand dollars each. It is computed, that he expended, through a single agent, in prosecuting scientific researches, and for the advancement of his educational methods and plans, and for gratuitous instruction, not less than thirty thousand dollars. And, taking the cause of learning in its various branches, the support and spread of Christianity, and the plans of benevolence and mercy, as found, each of them, in the hands of voluntary Associations, and dependant on individual munificence—taking these objects together, I suppose it can hardly be doubted that he was the largest contributor to them, of pecuniary means, during his life time, in the Union. In respect to his

minor benevolencies, nobody can number or compute them. They flowed from him in streams which were perpetual—never dry, and never scanty. It was impossible they should fail, so long as objects could be found to call them forth—and these never fail. There is not, probably, a profession, and hardly a department of active life amongst us, in which some could not be found—few or many—who owe the advantages of their position to him; while it is nearly certain that he fed more that were hungry, warmed more that were cold, clothed more that were naked, covered more shelterless heads, dried up more bitter tears, and comforted more despairing hearts, than any other man living among us in his time.

But I pass from these particulars, to the conclusion of this imperfect notice and tribute. The last year or two of the life of this eminent citizen was marked by disease and severe suffering. For several years, indeed, he had been subject to attacks which indicated that a cruel malady was fastening itself upon him, and that his sun was destined to set in a troubled sky. His disorder

finally showed itself fully about eighteen months ago, and created, at the time, considerable alarm, lest its termination should be speedily fatal. During the whole of the winter before the last, he was regarded as scarcely ever free from danger. Considerable abatement took place in the Spring, and he was able to leave home, for a short time. When winter returned, he was again wholly confined to his house, and much to his own apartment, enduring more than can be told, with only brief intervals of relief, till the day of his departure came—when his candle went out, suddenly indeed, but not without circumstances of mitigation and mercy. As his faithful and honored friend and biographer, I must not omit to record, that he died, as he had lived, a Christian; exhibiting a patience and resoluteness in his sufferings, and a calmness and fearlessness with the Angel of Death in his presence, which—however much others might have supposed there was of reliable stuff for such scenes in his natural courage and firmness—he himself referred and attributed wholly to the efficacy and sufficiency of his Christian faith and his Christian principles.

His own desire had been frequently expressed, that when the time came, his body should be borne to the common Tomb of his Fathers, with simple ceremonies only, and with an entire absence of ostentatious parade. This injunction was obeyed by his family, as far as the public, and public bodies, would consent it should be. It was arranged that the religious solemnities of his funeral should be celebrated at the North Dutch Church in this city—his own place of public worship—and in the presence of that fellowship of Christians belonging there, with which he had been connected, as a Member in Communion, for more than half a century. From thence to the family vault near his late residence, a procession was formed. The Body, in its simple and undorned Coffin, was borne on mens' shoulders—the bearers frequently relieving each other—the pall supported by those who had known him long and loved him well. No hearse was permitted to receive the burthen. The mourners followed ; after them, the Municipal Authorities of the City ; several public Societies ; the Chief Magistrate and other Executive Officers of the State ; and the Le-

gislature in order ; and then came citizens and strangers, falling in by two and two, until the procession was extended to a most unusual and imposing length. All were on foot. No carriages were used. The Military were in citizens' dress. All badges of office had been laid aside. No plumes nodded ; no helmets glistened ; no music murmured ; solemn, slow, and silent, the procession moved on, through thick and thronging, but orderly and respectful ranks, crowding the streets, and lining the casements of every dwelling on either side. And thus were the remains of the good man carried, and deposited in their resting place ; and thus were they attended. None ever had a more simple funeral ; none were ever followed by a larger train of sincere and sorrowing mourners.

Here, then, we part with him. The man dies, but his memory and virtues live. I shall not attempt to give a separate and extended sketch of his character. It is found in the sentiments, the acts, and the practices of his life, as already detailed. His mind was of that order which combines quickly, and reaches conclusions so readily, and with such intuitive accuracy, that laborious

investigation, as the need of it is not soon felt, finally becomes irksome, and is seldom or never used. It reposes on itself with a confidence which experience only confirms, while the processes by which it comes to results, are seldom stated to itself, and never to others. His heart was not unlike his mind, in its impulsive and intuitive habits; it made him a man of mercy and of charity, without the necessity of any elaborate discipline, or any long training. It was his nature to be kind and humane. He was tenderly attached to his family, where his affections, without making an uncommon case of it, might have rested and terminated; yet he saw a friend or a brother in every worthy man he met. His benevolence was of that large kind which loves an expansive range, and is offended at limitations and restraints. And his humanity was not satisfied with stopping short of cruelty, or with relieving misery, but was itself distressed, if, by the most unconscious act, pain were inflicted on another, or his sensibility wounded. He had the tenderness of a very woman, laid side by side in his temperament with a manly courage, and an unconcernedness which

made him, if occasion demanded, laugh and mock at fear or danger. There was that in him, too, which made his spirit always self-poised and conservative. He was temperate in all things; in his personal indulgencies; in his personal predilections or prejudices; in his party attachments or aversions; in his new opinions or feelings, whenever he acquired them; in his love of the world; and in his religious faith and practice. And, to sum up all, there was in him, with a reasonable facility for changing with the times, a steadfastness of character and purpose—but no unimpressibility—derived, perhaps, by inheritance from his nation, but so mingled in him with other elements, as to belong essentially and individually to himself. But I forbear.

The best part of a good man's life is his example. Him we may meet no more; but this we may meet at every turn. This is immortal, and cannot die. It lives in memory; lives in tradition; lives in history. It is present with us, and will be present with those who come after us—to teach, to instruct, to influ-

ence, and to guide. It is a light which never goes out, and never grows dim. And, for my part, I know not what we, or the world, ought to thank God for devoutly, if not, that a good man has lived, and, dying, has left us the legacy of his example and his virtues.

APPENDIX.
AN HISTORICAL SKETCH
OF THE COLONY AND MANOR

OF

Rensselaerwyck ;

READ BEFORE

THE ALBANY INSTITUTE,

APRIL 25, 1839.

BY D. D. BARNARD,

Member of the Institute.

SKETCH, &c.

AT the period when the settlement of the North American Colonies was begun, the Dutch were, by far, the most Commercial people in Europe. The Republic of Holland boasted of twenty thousand vessels, and more than two hundred thousand mariners. A bloody war, waged for National Independence, through a long series of years, seemed to have had no other effect than to multiply their numbers, and turn rivers of wealth to flow into the lap of the Nation. Liberty, too, was a great gainer; and Civilization marched forward by rapid strides, and with manly vigor, under the lead of Commerce. The City of Amsterdam took the lead of all others in the Netherlands. In population, in wealth, and in political power, she was pre-eminent. The affairs of the Nation were conducted, and wars were prosecuted, expressly in a manner to favor and promote the operations of trade; and much of the political authority, directly or indirectly, was

in the hands of the Municipalities where the Merchants bore sway.

In the first years of the Seventeenth Century, the Merchants of Holland, like those of every other country in Europe, still worshipped with their regards turned towards the East. In 1602, the Dutch East India Company was established—one of those extraordinary organizations of the period, embracing half a world in its exclusive commercial grasp, and clothed, at the same time, with unlimited and independent powers for conquest and for government. It was while engaged in the service of this Company, that Hudson, after another unsuccessful attempt to find his way to Southern Asia, through the ice-bound Seas of the North, ran down the American Coast, and, finally, entered and explored our own noble River, which still bears his name. This was in 1609. The Dutch claimed no other territorial rights, in new countries, as the consequence of Discovery, than such as they might secure by actual possession, taken in reasonable time. For several successive years after the Discovery, the country on the Hudson was visited by the trading ships of various Merchants of Amsterdam. In 1614, the States General passed an Edict, which excluded, for four years, from the trade on this River, all competition with those under whom the Discovery had been made, from such time as the latter might see fit to enter upon and monopolize it. It was under this Edict, that an unincorporated Trading Company, made up, probably,

in whole or in part, from Members of the East India Company, sent out a trading adventure, which found a position for itself, in the fall of that year, on the upper part of Castle Island, the first below this city, and known to us as Van Rensselaer's, or the Patroon's Island, and where a rude fortification was then erected.*

This establishment was purely Commercial, looking almost solely to the trade in peltries, with so much of military power incorporated with it, as might serve for protection, in its outcast lodgement in the deep of a savage wilderness. Its presence here, as the pioneer of Colonization, was fortunate and salutary. From the first, it conciliated the favor and friendship of the Mohawks, and with them, the warlike and conquering Confederacy of Indians, known as the Five Nations; and, within three years, its managers succeeded in concluding a solemn and formal Treaty of Friendship and Alliance with the Confederacy, which stood the parties concerned, and their successors, for long years to come, in much better stead, than their fortification, "with two brass pieces, eleven stone guns, and a dozen soldiers," would have been likely to do under other circumstances. This Treaty was concluded at the Fort of the Traders, which was situated

* Mr. Bancroft, in his admirable History of the United States, insists that this trading settlement was not made until 1615; and he claims, in his Notes, that this fact is proved by the Albany Records. I think he is mistaken. The proof to which he refers is too indefinite and uncertain, to control the direct testimony in the case. 1 Banc. Hist. 272-3.

on the banks of the Norman's Kill, a short distance south of the position originally assumed, and from which they had been driven by the floods.*

But as yet, it will be observed, there was no Dutch Colony here. There were only the Commercial Agents of a Trading Association. Not a family, or a female, had yet emigrated.† There had been no formal appropriation of any portion of the soil, except for present or temporary use ; no purchase of land had been made ; and the public Authorities at home had, as yet, advanced no claim to the Territory. But the way to Colonization was about to be opened. With objects on the part of the Government, having little to do, immediately, with the settlement and reclaiming of a new and savage world, a great National Society was instituted by the States General, under the name of the Dutch West India Company, which possessed the most extraordinary privileges, and was clothed with the most extraordinary powers. This was in 1621. It was invested with the exclusive right "to traffic and plant Colonies on the Coast of Africa, from the Tropic of Cancer to the Cape of Good Hope ; and on the Coast of America, from the Straits of Magellan to the remotest North." It was to be an armed Association from the start, and especially, it was expect-

* Vide Moulton's Hist. N. Y. Part. ii. p. 346.

† The first child of European parentage, born in New Netherland, had its birth in 1625. Moulton. Part. ii. p. 371.

ed to set out with a powerful Marine. The enemies of the Republic were to be its enemies. And whenever it should go to war on its own account, as it had the prerogative of doing, its enemies were to be also the enemies of the Republic. The States General were to be its allies. With more than half a hemisphere of land and water for its operations, it was to carry its arms and its merchandize—to traffic and to conquer—wherever it might be found profitable and practicable to do so. Wherever its standard might be planted, there the absolute right of government in the Company attached, with only this condition, that every thing must be done to the satisfaction of the high Authorities from which its power was derived. The central power of the Company was divided, for the more efficient exercise, among five Branches, established in the different cities of the Netherlands. Of these, that at Amsterdam was the chief, and had charge of the affairs of New Netherland. The general supervision and government of the affairs of the Company, however, was lodged in a College, or Congress, of Nineteen Delegates. These Deputies, and the Managers of the Five Chambers, were stiled the Lord's Directors, and they wielded a commercial and political authority, of the first magnitude. The home of their power was to be both on the water and on the land. They commenced their operations in 1623, and at once they swept the Ocean with their fleets, and made their descent on the shores of two Continents, wherever they could spoil or

annoy an enemy, or secure profits to themselves. Spain, the ancient enemy and oppressor of their country, was made to feel the weight of the right arm of their power; and Piracy, which, at this juncture, was well nigh having the common command of the Ocean, was met every where, and beaten into submission and good behavior.

With objects like these to occupy the attention of the Directors, it is not surprising that the Colonization of a new country—the planting of a Christian population in a heathen and wilderness land, with a view to making it, in time, the abode of civilization and refinement—should not at first have given them much concern. They did indeed prepare, at once, to take possession of the country on the North River; for in the very first year of their full organization—in 1623—they set up the ensigns of their authority here in two fortifications. Fort New Amsterdam, occupied a position near the confluence of the North and East Rivers; and Fort Orange was planted near the head of navigation, on the alluvial ground now occupied by the business part of the City of Albany.* But even yet, and for some years after, these were the mere trading stations of the Company. Fort Orange was a walled and armed Custom-House, into which was made to flow a commerce in peltries, drawn from a country extending

* The site was that on which stands the building lately known as the Fort Orange Hotel—formerly the mansion of the late Simeon De Witt.

to Quebec, and bounded thence by the course of the waters inland to Niagara and the Lake above it; while New Amsterdam was the Head Quarters of the local government, vested in an Upper and an Under Merchant, or Commissary,* and the place of rendezvous for the ships and coasters of the Company.

I have entered into this little detail of history, in order to shew the more clearly how, and under what auspices, Colonization was in fact commenced, and where the credit of it ought to attach. De Heer Killian Van Rensselaer, as he was called, and who became the first Patroon of Rensselaerwick, was a Director of the Dutch West India Company at Amsterdam, and, as described in some old Manuscripts, a chief partner. In 1625, De Laet, also a Director, and afterwards associated with Van Rensselaer in efforts to plant a Colony, published a book on the New World, which had distinctly for its object to recommend Colonization to the attention of his countrymen. Attention was aroused, but no movement was effected for four years. In 1629, a change was produced in the Constitution of the Central Government, so far as to allow the appointment of Nine Commissioners at Amsterdam, for the government of the affairs of New Netherland. Of this Commission, Van Rensselaer was one; and it is fair to infer, from his position and wealth, as well as from subsequent events, that he had already

* Oppen Koopman and Onder Koopman—or Commis.

conceived strongly the idea and intention of planting a Colony in America, and hence that he had a principal share, by his influence and exertions, in bringing about that event which first, and shortly after, led to Colonization in this quarter, under the Company. This was the adoption, in the same year—1629—by the College of XIX, of a liberal Charter of Privileges for Patroons planting Colonies in New Netherland.* Van Rensselaer lost no time in preparing to avail himself of the terms of this Charter. The very first purchase of land made by the Dutch, *for a regular Colony*, within this State, so far as I have been able to discover, was made for Kiliaan Van Rensselaer. The land lay near Fort Orange, but below it, and, having its extent on the River defined, was to run “two days journey in landwards;” and the purchase was made, on the 8th day of April, 1630, of four Indian owners, or Chiefs, at Fort Orange, in the presence and by the agency of Gov. Minuit himself, then holding the chief authority,† and with payments in mer-

* Vide Charter at length, in Moulton's New York—Part ii. p. 389.

† Wouter Van Twiller, afterwards Governor, was then here, sent out under the orders of the Nine Commissioners of Amsterdam, probably with a view to further the designs of some of them in regard to Colonization, but not yet, it would seem, in command, since it is certain that he bore no superseas to Minuit. Van Twiller returned to Holland, and came back again in an armed ship, and with some state, to take possession of the Government in 1633.

Moult. Hist. Part ii. p. 419—also vide Ib. p. 400.

chandise to the full satisfaction of the native lords of the soil.* Other purchases, from various owners, were soon after made for the same proprietor—one the same year, and the last in 1637—which, all together, made up the full complement of Territory, constituting, finally, the Colony of Rensselaerwyck. These acquisitions were confirmed to the purchaser shortly after they were severally made, by the public authorities at Fort Amsterdam.

The way was now prepared, and Van Rensselaer, very promptly, after the first purchases had been made for him, in 1630, sent out his Colonists to occupy the ground. The condition of the Charter to Patroons required, that every Colony of a Patroon, within four years, should consist of fifty persons, and none under fifteen years of age, and that one fourth part of these should be planted within the first year. There can be little doubt that this requisition was complied with in Rensselaerwyck. Nor did this satisfy the Proprietor. He was shrewd and careful enough to take advantage of a clause in the Charter—inserted there, as would seem from subsequent events, with scarcely a belief that the provision could possibly be available to any body—which offered to any Patroon who would settle a larger number of persons than fifty in his Colony, liberty to extend his purchases and possessions proportionably beyond the limits

* Book of Patents Translated—Sec. of State's Office—p. 6.

originally prescribed in the Charter.* These prescribed limits, were a stretch of eight English miles on a Navigable River, with land running back into the country on either side.† The Patroon of Rensselaerwyck provided himself with a Territory for his Colony, extending twenty-four miles on the River, and embracing the land on either shore, and obliging himself, therefore, according to the terms of the Charter, to begin his little Empire in the West, with a subject population of one hundred and fifty adult souls, besides the usual complement of children.

The Colony of Rensselaerwyck, planted under the direction and at the sole expense of the Patroon, was the first *successful* Colony, planted expressly as such by the Dutch, in America. The first settlement of this State by a body of emigrants from the Netherlands, forming a regular Colonial establishment, under the provisions of the Company's Charter, was at Albany. But this was not the only effort to promote and effect Colonization in

* The heavy expense of planting a Colony, at that time, may be judged of, in some measure perhaps, by a single example. I have found the record of an account presented by Gov. Van Twiller to Sir Killian Van Rensselaer (as Van Derkemp has it,) in August 1638, for the fare and transportation of *two* families only: in the Company's ships, the whole of which account amounted to £1,413 12. Currency! I cannot help suspecting that there must have been something besides fare in this account.—1 Alb. Records—Trans.

† Or sixteen miles on such River, with land on one side of the River only.

America, made by the enterprising and sagacious Van Rensselaer. One of his associates in the Direction of the West India Company, and a fellow Commissioner, had caused a tract to be secured to him, by purchase from the Indian Owners, lying on the Delaware, then within the ample boundaries of New Netherland. It would seem that Godyn, the purchaser, felt himself alone unequal to the burthen of planting a Colony there; and an Association was formed for the purpose, consisting of several Directors, of whom Killian Van Rensselaer was one. In the fall of 1630, they fitted out an expedition, under De Vries, a skilful conductor, and set down on the Delaware a Colony of thirty souls. This Colony was unfortunate. Within two years, every soul had perished by the weapons of the Savages, in revenge of an unprovoked and wanton injury. But calamitous as the result was to the settlers, the attempt was not without its value, and it led to important consequences. This was the first settlement in Delaware, and was earlier than any in Pennsylvania or New Jersey; and it is due to Killian Van Rensselaer and his associates in fitting out this Colonizing expedition, that Delaware exists, at this day, as an Independent State.*

* About a quarter of a century after the first purchase had been made for Van Rensselaer, at Fort Orange, a claim was set up by Godyn, De Laet and others, or their descendants, to a partnership interest in the Colony of Rensselaerwyck. The claim was presented by Petition, before the Lords Directors of the Company at Amsterdam, and, by them, was referred to the Di-

Colonization was now fairly commenced at and around Fort Orange, on the shores of the noble Hudson ; and about 1637, the Patroon of this Colony appeared in person to take charge of his Estate and his People. The full history of the Colony of Rensselaerwick would not only be interesting, but would contribute, not a little, towards pouring a full and steady light on the condition and circumstances of the Province of New-York, in the period of its birth and early years. On this occasion, however, I can only recall its prominent features.

The United Provinces of Holland, it must be remembered, never themselves undertook Colonization anywhere. They encouraged it, but they would not put their own hand to the work ; and the mode in which encouragement was given in the case before us, shewed clearly the intention of transferring to America the feudal and aristocratical institutions of the Father land. The old Aristocracy, however, content with the power and the consideration it enjoyed at home, was not to be transplanted ; but the New World was to have a new Aristocracy, formed out of the best materials

rector General and Council at New Amsterdam. The demand was not allowed. It rested in written Articles of Agreement, which were produced, and bore date Oct. 16, 1630. They had reference, no doubt, to the Delaware Colony ; and the attempt to make them apply to the Colony of Rensselaerwyck, probably grew, honestly enough, out of the vagueness of ideas with which every thing belonging to territorial matters in the New World was viewed at this period.

that could be spared from the old. The Prince would not come here, and, as a general thing, the old nobles would not come; but out of that new and enterprising class which Commerce had formed, and by the forming of which liberty had been greatly a gainer, a feudal and landed Aristocracy was to be created for the uses of the rising world of New Netherland.

In the Charter of the West India Company, it was made the duty of the Lords Directors to provide, in some form, for the settlement, in time, of the Countries of which they should possess themselves; while yet the Stations of the Company every where were to be governed by their own high officers, with military and brief authority, and Commerce, and the spoil of the national enemy, were evidently the chief consideration. When, however, the College of XIX came to look after the subject of Colonization, they adopted, very naturally, a system in perfect harmony with the political complexion of the Government at home. In the Charter of Privileges framed by them, they held out inducements to Particular Persons and Masters, as they were there called, as well as to Patroons. But, though Holland was a Republic, and fit, therefore, to be the Mother of a Republic; though by her Federal Union of Provinces she was about to offer to America a most valuable precedent for the guaranty of National Liberty; though by her toleration and her steady good sense, her soil was now the Asylum of the oppressed for religious opinions, of all nations; and though, on

the whole, Freedom in the Netherlands, instructed in long wars for Independence, was greatly superior to any thing of the sort among her neighbors ; yet popular liberty was, as yet, but little advanced in Holland. Citizens and artizans had begun to look up, for personal wealth and personal worth were beginning to be appreciated ; and Municipal office, and even the Aristocratic station of Burgomaster, were not wholly beyond their line of vision. But, then, the tillers of the soil—the boors of the farms and the fields—knew little of Freedom—they had hardly yet heard so much as a note from her trumpet. They knew what protection was, and what kindness was ; but they had none of that consciousness of being free, and feeling power, which alone could prompt them to desire a change of place as likely to lead to the bettering of their condition and prospects. Voluntary emigration, therefore, was not to be expected from them. They had no religious persecution to fly from, as other American Colonists had, and indeed few, if any, persecutions of any sort, and they had not begun yet to hanker after a share in politics. It is evident enough, therefore, that the hopes of Colonizing their possessions in America, rested, almost wholly, on the Patroons, and to them they offered the inducements proper to make them contemplate with favor the idea of changing their country. The feudal Lordships of Europe—those Baronial possessions and establishments which abounded on the Continent and in England, and which were not unknown in Holland—

enjoying more or less independence, and having more or less of the prerogatives of sovereignty—these offered the example of establishments for the North American Province of the Dutch. The model was proposed, and we have seen that Killian Van Rensselaer was prompt to act upon the suggestion.

What, then, was the political Constitution of the Colony of Rensselaerwyck? And what was the power and authority of the Lord of this Colony? Doubtless some modification took place, from the originals, to suit the circumstances of its condition in a distant and barbarous country. Holland had thrown off the oppressions of bigotry and absolutism; and liberty there consisted in preserving the Commercial Aristocracy of the Municipalities, and the feudal immunities of the landed interest, against any tendencies to Executive encroachments on the part of their own chosen Stadtholder. This was the sort of liberty to be planted here; the same general system was to prevail here, as soon as time and events should ripen the country for it; with this difference of course, that besides the fealty due from the Cities, and the Colonies of Patroons, to the Central Authorities in the Province, all, and the Province itself, were to owe a general allegiance and subjection to the States General in Holland. Colonies of Patroons were an important feature in this system; and of these Colonies, that of Rensselaerwyck was the most notable and important.

The Colony, of course, had its foundation in the Char-

ter of Privileges ; but the full powers of the Patroon can only be understood by reference to the analagous powers of feudal dignitaries. The design was to give him, or rather to leave him, as much authority as would enable him to protect and govern his people, and protect and defend himself and his possessions, as well against foreign aggression, as against domestic revolt. His position, in the midst of a wilderness, pressed closely on every side by rude, warlike and powerful tribes, was not altogether unlike that of the feudal Lord in his solitary castle, hemmed in with hereditary, and revengeful foes ; and we have abundant evidence to shew that, in construing their own authority, the Patroons of this Colony, and those who acted for them, regarded their powers for military defences and operations, as fully equal to the exigencies of their condition and times. At first, indeed, and in the feebleness of his young Colony, the Patroon borrowed a principal means of defence against violence from without, from the Military Station still held by the West India Company, in the midst of his possessions. His first Trading, or Custom House, with some other tenantries, were placed, for this purpose, under cover of the stone guns and other pieces which defended the walls of Fort Orange.* The first residence of the Patroon himself—which was

* 7 Alb. Records, p. 197.

on the upper end of the Patroon's Island*—was not too far off, perhaps, to have been within the range of protection afforded by the Company's Cannon. But this means of defence, was not long, if it ever was, exclusively relied upon. We find the Patroon himself possessed of the munitions of war, and having Forts of his own, planted with cannon. We find him at an early period fortifying an Island in the River, and claiming so much of the regal power, which seems to belong to the independent possession of such warlike instruments and defences, that his Commander there, does not hesitate to fire into a Dutch vessel which presumes to pass without lowering her colors as an act of homage to Rensselaerstein. We find him receiving, at various times, large quantities of powder and ball: his own dwelling is pallisaded, fortified, and manned; and, finally, he is able to lend three of his own cannon to the Company's Commander at Fort Orange, and three more he causes to be mounted on the walls of the Church, and he constructs and garrisons an independent Fortress as an outpost in the woods. Happily, this Colony, by a prudent and humane policy from the beginning, escaped the calamities which befel so many others in the country, by the hostile incursions of the Indians. They had no known and public enemy among the Savages near them, except those residing at

* This appears from an ancient Map in the possession of the family.

Esopus; and no occasion arose for actual hostilities. These Esopus Indians, however, were warlike and implacable; and threw the Colony often times into great alarm. They contrived, at one time, by stratagem, to carry off several prisoners, and among them the fair daughter of the Company's Chief Officer at Fort Orange; and it was not until a few months before the surrender of the Province to the English, that they succeeded in concluding a firm peace with these troublesome neighbors. But the right which the Patroons claimed to engage, for the sake of defence, in warlike operations, if need should be, and the state of warlike preparation which they found it convenient to provide and display, all together created, at times—certainly without any sufficient foundation—a feeling of distrust and uneasiness on the part of the Central Government of the Province, and of the Authorities at home, lest the Colony of Rensselaerwyck should some day yield to temptation, and, setting up for itself, should be wholly lost to the parent country. The Chamber of Directors at Amsterdam made formal complaints against the Patroon, and the Directors of his Colony for the time being, amongst other things, that their territorial limits had been quite too much extended; that they had manifested a design to monopolize the whole trade of the North River—a design, indeed, openly avowed, as they alleged, by the Gov. Wouter Van Twiller; who, since he had been recalled from the Government of the Province, had become the Guardian of the Patroon of the

time, in his non-age, and, though in Holland, was the principal agent and director of the affairs of the Colony—that they had actually set up a claim to “staple-right,” and were prepared to enforce it by a fortification at Rensselaerstein*—and, finally, that the oath of fealty and allegiance, exacted of the Colonists, to the Patroons, savored of independence, and even sedition, inasmuch as no notice whatever was taken in the oath, of their High Mightinesses, the States General, as the ultimate Superiors of the Colony and its Patroons. They deprecated the occurrence of a war between the Dutch and the English Colonists in America—a serious difference having already set in—lest, by some means, in the progress of the the war, Rensselaerwyck should be separated from their dominions.

In all this, it is evident, I think, from a cursory view of the records of the controversy almost constantly going on between the Directors of the Colony and those of New Netherland, that the Corporation took council chiefly of its fears. There was undoubtedly, a disposition at times, if not to enlarge the jurisdiction and powers of the Colony, at least to use all that belonged to it; but the truth really is, that the Company, having early discovered

* “Staple-Right” is defined to be a privilege granted by the Sovereign to the inhabitants of a certain place to compel Masters of Vessels, trading along their Coasts, to discharge their cargo there for sale, or on failure thereof, to pay certain duties.

Van der Linden's Institutes of the Laws of Holland—p. 538.

that the legitimate advantages and importance of the Colony, under the efficient direction and energy of Killian Van Rensselaer, were greater than was quite consistent with all the monopoly and profits, all the while intended to have been secured to the Corporation, sought every favorable occasion afterwards to interpose, and interfere injuriously with its unquestionable rights and interests. We shall see abundant proofs of this as our narrative proceeds.

But the power of the Patroons for the defence of their Colony by military array, was not more remarkable than that which they possessed in regard to its police and government. The Charter, so often referred to, expressly clothed them with the High and Low Jurisdiction of the Feudal Law. This gave to the Patroons the original and absolute right to administer, in person, or by functionaries of their own appointment, the whole justice of the Colony, in both branches of Jurisprudence. The decision of all causes, civil and criminal, belonged in the first instance to them, in the Courts of the Colony. They had the right of trying crimes of every kind, even the highest, and those punishable by the loss of life or limb, as well as those inferior and petty offences which, on conviction, were followed by fine and imprisonment. Originally, where feudal Jurisprudence prevailed, the sentences of the Baronial Courts were final, and no appeal lay to any Superior Court. But, before the time we speak of, the efforts of Sovereigns every where had been

directed to the correction of this dangerous concession to the Barons, and appeals, at least in cases affecting limb or life, were generally allowed. It is supposed, that to that extent, and strictly to that extent only, could appeals be taken to the decisions and judgments pronounced in the criminal courts of the Patroons. Indeed, in these cases, if any such occurred, a review of the proceedings was probably a matter of course, before execution of the sentence could be had, and whether the party implicated chose to enter an appeal or not. In regard to the lesser offences and misdemeanors, the Jurisdiction of the Patroons seems to have been complete and final. And so it would have been in all civil suits, according to the feudal law; but the Charter provided expressly for an appeal to the Company's Commander and Council in New Netherland, from all judgments, by the Courts of the Patroons, for upwards of fifty guilders—a little less than twenty-one Dollars.*

Such was the jurisdiction of the Patroons of this Colony. Justice, in both branches, was administered in their name, and by their authority. They appointed all the officers of Justice in the Colony—as well as their Commercial officials, and their Military Commanders. The Sheriff and the Secretary of the Colony—Officers having more to do with the prosecution of suits and complaints and the trial of causes, than those titles in our

* Just §20 83 1-2.

system would indicate—were put in Commission by them.* They did not, so far as I have discovered, delegate the Judicial power which belonged to them, or to the Chief Director of the Colony for the time, any farther than that power was committed to the Sheriff and Secretary. In imitation of the policy and practice of the old Barons, of Princes of inferior rank, and even of the highest Sovereigns in the early part of the Middle Ages, they presided in their own tribunals, in cases of importance or delicacy, and dispensed the justice of the Colony in person. Regularly, the due administration of justice would have required the Patroons to have their Colonial prison, for the incarceration of such offenders as should be condemned to that punishment. But a separate prison of their own was not indispensable. A Jail was constructed in Fort Orange—probably by arrangement between the Colony and the Company; certain it is, it was used for their mutual accommodation. To it the Sheriff of Rensselaerwyck committed his prisoners. In the Courts of the Colony, all causes and disputes between the freeholders and inhabitants of the Territory were triable—all questions about titles to lands, about

* Shortly before the Surrender to the English, the Directors at Amsterdam set up a claim to create a Sheriff for Rensselaerwick; and they instructed Gov. Stuyvesant—not to appoint a new Sheriff—but to re-appoint Sheriff Swart, already in Commission under the Patroon, and induce him to consent to receive a Commission from the Company!—Letter of 25. Ap. 1659—4 Alb. Records p. 301.

possessions or boundaries, about contracts, and about injuries to property, persons or character. And here also, the Patroons brought suits, or might have done so, against the tenants and freeholders of the Colony, for the quit-rents and other demands due to them—a jurisdiction and right certainly calling for great moderation and forbearance on the part of the Patroons and their Officials, to prevent the abuses and oppressions to which so partial a tribunal would be likely to tend.

The brief view now taken of the Constitution and polity of the Colony, may be enough to give us a general impression, and not perhaps an unjust one, of the political condition of the Colonists under the power and government of the Patroons. The relations between the two did not certainly leave to the Colonists that freedom, and give them that security, which men enjoy under popular institutions. But it must not be inferred that their condition was one in which they suffered oppression or injustice. It is true, that they were vassals—not, however, in the sense in which that word is often understood. They were bound, by a solemn oath, to bear true faith and fealty to the Lord and Governor of the Colony. They were his immediate subjects, and bound to a lawful obedience. But their Superior was himself a vassal—to those high Authorities from whom he derived his right and his power; he was himself a subject, and his people were not only his subjects, but they were the subjects also of the same Sovereign to whom his own allegiance

was due. There appears to have been, from the papers I have examined, and I have no doubt there was, as a general thing, a relation of kindness and mutual attachment subsisting between them and him. He was what his title indicated he would be, their Patron—their protector and friend. He promulgated to them just laws enough, and exercised just authority enough, to compel them, wherever they might be otherwise disposed, to be orderly and peaceable, and observe the obligations of honesty and right, towards him, and towards one another. For the rest, his government was paternal. It was exercised in composing disputes and differences, in bestowing friendly counsel, and, through the natural influence of his position and character, reconciling enmities and healing feuds. The care of their defence and protection, in their exposed situation, rested with him. He had the means of such defence, which they had not; and, having both their gratitude and their confidence, they were proud to be his soldiers, as well as his subjects, and were ready, at any time, to fight with him, or to fight for him, as he should direct and command. They enjoyed, it must be remembered, feudal liberty—a liberty by no means to be despised, at that time of day. It was one of the best forms of liberty, which, at that day, the world had to offer. The feudal system came originally, as a relief to men from the burthens and oppressions of worse systems which it displaced; and though it was itself made subsequently the instrument of grind-

ing exactions, and of every species of petty tyranny, so that the people were glad to fly to their Sovereigns, and to absolute governments, for protection, yet before the period we speak of, the system, what remained of it, and in its modified forms, had become one which favored freedom, and was not without its guaranties for security and personal independence. There was a single feature in it of no inconsiderable importance and value, and which belonged to it as applied to this Colony as well as elsewhere—whether there was ever occasion to use it or not. The freeholders of the Colony—as many of those holding lands from the Patroons were—were as much, and as essentially, members of the Criminal Courts of the Colony, as was the Patroon himself, whenever trials were to be held for any of the higher class of offences. They were themselves the triers of the offenders, and no man could be convicted for a capital, or high crime, without the verdict of a competent number of his peers.

I have not found, in my researches, nor do I believe, that there was any thing seriously to complain of in the conduct of the administration of the Colony—especially while it was in the hands of the Patroons themselves, or of any of the family. During the non-age of a Patroon, which, by the law of Holland, extended, I think, to twenty-five years, I find the Colony in possession and under the Command and Directorship of one Brandt Van Slecktenhoorst, who certainly did seem disposed, in some

things, to carry matters with a high hand. He is accused by the Director General and Council at Manhattan, of making his judicial decisions absolute and final in all cases, and compelling the inhabitants to forego the use of their undoubted right of appeal. I have not found, however, any evidence that any such complaint ever emanated from the inhabitants themselves ; and it is only sheer justice to the memory of the worthy Commander, to say that in my judgment, his accusers in this case, ought not to be his judges. His zeal, no doubt at times intemperate, for the honor and interests of his Orphan Patroon—as he repeatedly styles him—and for the Colony, and his resolute determination that no rights should be lost for non-user during his administration, led him into sharp collision with the Authorities of the India Company, and, finally, into very serious troubles. But I have seen no evidence to show that he practised, or attempted—as he was accused—any imitation of those Barons of France, of whom history records that they put to death, or mutilated, such persons as presumed to appeal from the sentences of their courts ; nor indeed, that he ventured on any other, and less atrocious, means of securing such an object.

The truth, I think, is that the India Company, on mature deliberation, were not quite satisfied with the work of their own hands, and they manifested too much disposition to reclaim, or at least to limit and restrain, by unfair proceedings, some of those large powers and privileges

which they had at first so freely bestowed.* The Director Van Rensselaer, shrewd, sagacious, and far-seeing, had undoubtedly possessed himself of eminent advantages at Rensselaerwyck. The point where he took his station was, at the beginning, the chief Mart of the Fur trade in the Province, and so it must long continue to be ; and until the purchase and settlement made by the Patroon, this Mart, and the trade there, were in the hands of the Company, and protected by the Armament at Fort Orange. The Company, moreover, in their Charter to Patroons, while they granted to them the free liberty of traffic, with their Coasters, “from Florida to Terra Neuf,” and even a share in the Cod Fishery, had been careful to reserve to themselves an exclusive right, every where, to the trade in peltries—but with this exception, that the Patroons might enjoy that trade also, on certain specified terms, at those points and places where the Company might not maintain a trading establishment. Under this stipulation in the Charter, the Fur trade at this important point fell eventually into the hands of the Proprietor of the Colony—for, after a few years, the Company, engrossed I suppose with other matters, ceased to

* In a Letter from the Directors in Holland to the Governor of the Province, dated March, 1657, manifesting throughout great jealousy of the power of the Patroon, they say, speaking of the Authority exercised in this Colony—“this example makes us averse to permit any one in future such an unlimited Colonization and Jurisdiction.”

supply their Trading House in Fort Orange with the necessary articles of Merchandize with which to carry on the traffic with the Indians. Not only was the derelict trade promptly seized and engrossed by the Patroon—being then, 1644, the original Killian Van Rensselaer—but measures were immediately taken to secure it, if need be, by force of arms, against all impertinent intermeddling with it. This was the purpose with which Bearen Island was fortified, and a garrison placed there. The Company's own vessels might still have free access to Fort Orange ; to them the navigation of the River was open as ever—but not so the vessels of independent traders. These could, of course, find no port to enter or traffic in above Bearen Island, except within the limits of Rensselaerwyck, and every independent trader would learn the terms on which the port of the Colony might be entered, on making a respectful inquiry at the Fortress of Rensselaerstein.

This proceeding was viewed with exceeding jealousy and distrust, by the Director General of New Amsterdam ; but it was persisted in, in spite of the strongest remonstrances ; and when, by the death of the Proprietor, the administration and care of the Colony, in behalf of his Heir, devolved on the Commander Van Slecktenhoorst and Gov. Van Twiller, nothing certainly, within the limits of a legitimate authority, was omitted, to secure to the Colony all its rights, and all its advantages. From this time forward, a systematic encroachment on the rights of the

Colony was made by the Company. The Company had never purchased, and did not own, a foot of land within the Colony. The soil on which Fort Orange stood was included in the purchase made by the Patroon. Yet not only was the Fort itself maintained, without necessity, if not against right, but a claim was set up to as much land around it as would be swept by the range of its guns. The Trading Factory of the Patroon had been reared, originally, on the very borders of the dry Moat which surrounded the Fortress, and near it the cottages of a village settlement had already begun to cluster. This was the village of Beverwyck—a neat and promising little Hamlet, the germinating principle of the future City of Albany—and forming beyond all question, a part of the Colony of Rensselaerwyck. It was the Patroon's village, planted on his own land, under his leave and auspices, by his own colonists, brought into the country at his own cost. This was a case which had been prospectively provided for in the Charter from the Company, by expressly conceding to the Patroon the right to govern, by officers and magistrates of his own appointment, any town, or city, of which he should be the founder. But the Company early determined not to permit this Colony to become too prosperous, or the Patroons to acquire too much consideration and power. By claiming the territory around the Fort within the sweep of their guns, they brought the entire village of Beverwyck within the grasp of their unwarrantable demands. They first insisted that

the Commander Van Slecktenhoorst should erect no more dwellings for his Colonists in that quarter. The worthy Commander protested, and went on as usual. Gov. Stuyvesant sent a military expedition—that is to say, an officer with a handful of soldiers and sailors, who took a fortnight's time for their campaign up the river, and entered the peaceful village of Beverwyck in warlike and hostile array. They even dared to enter the dwelling and castle of the Patroon, with arms in their hands. But great as was this outrage and violence offered to the dignity and rights of an independent Patroon, by an armed invasion of his territory and jurisdiction—so, at least, was it esteemed by Commander Van Slecktenhoorst, who assaulted the proceeding with Proclamations and Protests in unsparing quantity—the expedition was a fruitless one, and Gov. Stuyvesant took nothing by his irregular motion. The act was even disavowed by the authorities in Holland; they affected utterly to disbelieve that the “honorable, valiant, wise and prudent Petrus Stuyvesandt” could ever have offered such an indignity to the honorable and valiant Van Rensselaer of Rensselaerwyck. In the mean time, the constructing of houses in the Hamlet proceeded, and the prudent Governor changed his mode of attack. He undertook to give to the inhabitants in the village permanent leases for the soil, and to absolve them from their oath of allegiance to the Patroon. He even appointed magistrates for Beverwyck, and caused Courts to be opened, and justice to be administered there, in the

name of the Provincial authorities. All this while the full-blooded Netherlander, Van Slecktenhoorst, was neither dismayed nor idle. He went on with the construction of his houses in Beverwyck; and he gave personal notice to the Company's officer at Fort Orange, who had been directed to put that Fortress in repair, that he must not touch a stone or a stick of timber for that use, within the Colony of Rensselaerwyck. This was awkward for Mr. Commissioner Van Brugge. He held back for instructions, and, as necessity knows no law, he was ordered to take the materials for repairs wherever he could find them, on grounds uncultivated or unenclosed. We may suppose that, with the sturdy Commander of Rensselaerwyck to deal with, he found the execution of his orders neither easy nor pleasant. For several years the controversy went on, and at last, the purposes of the Director General and the Company were only consummated by an act of treachery. Van Slecktenhoorst was arrested at Manhattan, thrown into the Keep of Fort Amsterdam, and detained a close prisoner until a new Director for his Master's Colony was appointed. He was then released, but only for the purpose of performing the ceremonial of installing his Successor in his place, which he affirmed could be lawfully done by no one but himself.

With a Director more to the taste of the Governor and the Lords Directors of the Company at Amsterdam, the Colony was treated with more apparent respect, but in reality with no less injustice than before. Gov. Stuyve-

sant was formally instructed by them to take care that he gave no cause of offence to the inhabitants of the Colony. They offered their congratulations on the peaceable state of affairs between them and the people of Fort Orange ; but they did not forget to inform the Governor, at the same time, how important it was, and how much it concerned both "equity and liberty," that the limits between Fort Orange and Rensselaerwyck should be definitively settled. Keeping this object steadily in view, the footing which the Company had obtained in Beverwyck was carefully preserved, and their authority there gradually extended. Finally, the Governor ventured to mark out the boundaries of the possession claimed for the Company as the proprietors of Fort Orange. These boundaries modestly embraced a mile in extent on the River, taking in the entire village of Beverwyck, and forming that base line which was afterwards used in the original Charter of the city of Albany, and upon which a territory of sixteen square miles was carved out of the Manor of Rensselaerwyck for the uses of the city. It is worth while to add, in this connection, that it was not at last, deemed safe by the English Gov. Dongan, to issue his Patent for this territory to the city, until he had first obtained from the Patroon of that day a formal Release of the land to the King. That Release was executed two days before the Charter of the city was granted.

I have dwelt on the affairs of this Colony during the rule of the Dutch Authorities in the Province of New

York, at such considerable length, though still with small justice to a subject of deep interest, that I must now hasten forward, in a very unsatisfactory manner, to the conclusion of the history on which I have entered. The English Conquest of this Province took place in 1664. Jeremias Van Rensselaer, the second son of the original Proprietor, was then in possession of the Colony of Rensselaerwyck. He lost no time in applying to Gov. Nichols to be confirmed in his possession and rights. This was readily granted by the Governor, in accordance with the general stipulation he had given at the surrender; to operate, however, only to give Mr. Van Rensselaer time to obtain a regular Patent of Confirmation from the Duke of York, for whom the Conquest of the Province had been made; and in the mean time, it was made his duty to see that his Colonists—heretofore his subjects—should become the proper subjects of King Charles II, by personally swearing allegiance to him. In the confusion of the time, and it is probable also for a particular reason which will be referred to directly, no Patent for this Estate was given for several years. Meanwhile, the possession and right were continued to Van Rensselaer, by the orders of successive Governors, and the warrants of the Duke. In this state of things, the Province again changed masters. Nine years after the surrender, the Authority of the States General was again established over New Netherland—only, however, to be returned into the hands of the English the next year. But there was work for

Van Rensselaer to do in this brief period. He was called before the Lords Commanders and the Honorable Tribune of War at Fort William Henry, to tender, for himself and his people, his oath of Allegiance to the new powers; and he was then sent back to the government of his Colony, but with greatly restricted authority. The right of the inhabitants to a voice in the selection of their own magistrates, was distinctly recognized. They were to nominate twice the number required, and he was to appoint from their nominations.

In 1674, the English rule over the Province was restored, and Jeremias Van Rensselaer died the same year. This event—the death of Jeremias, in possession of the Estate, with a claim of right more or less extensive—produced, it would seem, some embarrassment in regard to the succession; and this was apparently increased by doubts about the true law of descent applicable to the case. Jeremias was a second son; the eldest son of the original Proprietor was Johannes Baptista, and was undoubtedly, according to one rule of the Feudal law—this being a feudal estate—sole heir to the Colony and title of his father. But Johannes, who was the person spoken of by the bold and faithful Van Slecktenhoorst as his Orphan Patroon, and who had been early in the Colony, had returned to Holland, while his younger brother, Jeremias, had been placed in possession with all the powers of government and control, and, it is not improbable, with some equitable understanding between the brothers in

regard to the succession. At any rate, a claim was set up by the son of Jeremias, as his father had occupied with some claim of right, and died in possession. When, however, Johannes died he left an only son, who was, of course, by the rule of primogeniture, the sole heir to the inheritance. But, then, there were other descendants of the same common ancestor, and they put in a claim—or one was preferred for them—on the ground of the civil law, which had been adopted by the Dutch, and which cast inheritances, in equal portions, on all descendants, male and female, in the same degree of affinity to the ancestor. The civil law of the Dutch could not, however, I think, have been applicable to Estates, like the Colony of Rensselaerwyck, held by a strictly feudal tenure, and where, according to the notion of the times, the personal dignity of the proprietor was to be cared for and preserved.* In this state of things, it was proposed, and an order to that effect was given to Gov. Andros, that a Charter should

* The rule of succession, or inheritance, under the feudal law, was different in the different countries of Europe, and seems to have been modified at pleasure to suit the notions and the circumstances of the times in each. The Seigniories in Canada, under the French, were not subject to the law of primogeniture; nor, on the other hand, did they descend, like the peasants' lands, to the children in equal portions. The eldest son represented the father, and was to take such a share as might enable him to maintain his father's rank and station in life, while the younger children were not left without some legal provision.

"View of Canada while subject to France."—MS. p. 21.

be issued which should, for the present, without determining the rule of succession in the case, recognize the proprietorship of the *right* heirs of the first owner. I think it not uncharitable to say, from the circumstances, that the Duke of York was reluctant to acknowledge a proprietorship in any body, to so considerable a portion of that princely estate—the Province of New-York—to which he had just secured a title, and would have been glad if he could have found some plausible grounds, at least for cutting down this Dutch principality to some more moderate dimensions.

It is supposed, not without good reason, that the gratitude of Charles II, on the recollection of hospitalities and favors received at the hands of the representative head of this family, when that accomplished but dissolute Monarch was an exiled and necessitous refugee in Holland, led him to interpose in behalf of the heirs of the old Director Van Rensselaer, by means of which that order was obtained from the King's Brother, the Duke of York, to which I have alluded.* As it was, however, no execution of this order took place until 1685, when Gov. Dongan caused a Charter to be issued for that purpose. This Charter was granted to two persons. One of these

* There is now in possession of the Van Rensselaer family, at the Manor House, a snuff-box, with the Miniature of King Charles II upon it, which was presented by that Prince, to their Ancestor, on the occasion referred to.

was Killian Van Rensselaer, only son and heir of Johannes, and the other was Killian Van Rensselaer, the eldest son of Jeremias; and the Charter was, in terms and effect, a grant *in trust* for the *right* heirs of the Original Proprietor of the Colony. It embraced the ancient possessions of the Patroons, nearly entire, and defined their boundaries; and it converted, in express terms, the old Dutch Colony, into an English Lordship, or Manor, with a broad tract, twenty-four English miles by forty-eight in extent—some comparatively small parcels of land excepted—and with the noble Hudson pouring its flood of navigable waters from North to South, through the centre of the territory. Two years after, one of the Killians, the son of John Baptiste Van Rensselaer, died, and left no issue to succeed to his interest. The other Killian, his cousin german, the son of Jeremias, became now the representative and sole heir, if the rule of primogeniture was to prevail, to the inheritance of his Grand-father, the first Proprietor of Rensselaerwyck. In 1704, by the order of Queen Anne, this rule was definitively settled and adopted in the case, and Killian, the son of Jeremias, received a Charter, granting to him the Manor and Lordship of Rensselaerwyck, in absolute propriety. So far as appears, this was done with the acquiescence of all; and whether all did acquiesce, or not, there can be no doubt it was done in strict accordance with legal right. The feudal law, however modified by the Dutch, would have cast the main part of the inher-

ance, if not the whole, on the eldest son living, in the direct line of descent. But it was, after all, the English law of descents, and not the Dutch, which was applicable, and applied to the case. The English claimed—with how much truth and propriety it is useless now to enquire, since the whole matter was in their own hands—that they held the Province of New York, not by right of Conquest, but by right of Discovery; that the country was theirs all the while; and that the Dutch, and all others, who had made settlements and acquired property in it, while the estates of owners for the time should not be disturbed or brought into question, must submit to the sway of the English law in the Province, from the moment the English Authorities were in condition to enforce it.* I may here add, that from this first Lord of the Manor, through his second son—the eldest having died without issue—the late STEPHEN VAN RENSSELAER, was the third only, in the direct line of descent. The Manor had never been disposed of by will; and it had never been subject to entail; it took the course of the canons of descent established by the law of England, and came to the late Proprietor by right of primogeniture.

* On this ground, therefore, the English rule of primogeniture was to prevail in regard to all inhabitants in the Province of New York; whereas, if the right of England to the Province had been the right of Conquest only, the law of descent, with all other laws, as established among, and by, the Dutch, would have prevailed, until altered and changed by the conqueror.

Between a Dutch feudal Colony, with its Patroon and Commanders, its forts and soldiers, its high and low jurisdiction—and an English Manor, with its Lord and Stewards, its Courts-leet and Courts-baron, there was some resemblance, and some difference. There was a strong family likeness, with a marked diversity of features. They were both of feudal origin and character. They were both Estates of dignity and power. But a marked distinction is found between them, when we come to look at the different estimate which was evidently put upon the people belonging to the Estate, in the two cases. We have seen already what was their condition in the Colony—not one certainly of oppression, but not one of freedom. They were regarded as men—with rights and privileges—but as men to be protected, and not men who could, or ought to have, much right or authority to protect themselves. In the Manor—I speak now of the Manor of Rensselaerwyck, as created by express Charter—the case was somewhat changed. In the first place, it was only in the King's Courts that the tenants could be called to answer for high crimes, and there they must have a Jury of the vicinage to try them. Then, although for misdemeanors, minor offences and nuisances, they were liable to be prosecuted in the Lord's Courts, and also to be impleaded there by each other in their disputes about property, where the amounts involved were not large; and although all controversies about the right to lands in

the Manor were to be determined, in the first instance, in the same Courts; yet they were themselves—the tenants who were freeholders—the judges, and, in strictness, the sole judges, of these very Courts; the Stewards were properly the Registers, and not the judges of these tribunals. And, finally, the consideration in which the people of the Manor were held, was manifested in the voice they had in legislation, through their right to elect, with the Lord of the Manor, a Deputy to represent them in the General Assembly. In all this, the condition of the tenantry was improved, and it was so in some other things. They had passed under a new Government—one which had impressed upon it some Saxon notions about liberty and human rights, and of which they were enjoying, in some degree, the benefit.

Still, however, the authority and privileges of the Manorial Chief were not inconsiderable. The writs for the holding of the Baronial Courts were to be issued by him, and it was his right to preside in those Courts, in person, or by his deputed Steward. To him belonged all fines and amercements, imposed on offenders within the Manor, whether by his own Courts, or by the Assizes, the Sessions of the Peace, or the Oyer and Terminer. To him appertained also, all waifs, estrays, wrecks, deodends, and the like, with the goods forfeited by felons within his Lordship. He had the important right of advowson—the sole right to name and present the ministers to all

churches, built, and endowed with glebe, on his demesnes ; and authority was given him to elect a Representative to the Legislative Assembly—uniting the freeholders and inhabitants with him in the election ; the benefit of course resulted almost always to himself. The choice was quite sure to fall on himself, or on his friend and nominee.

On looking into the Records of our Colonial Legislature, I find the fact of representation from the Manor—which was distinct in this respect from the City and County of Albany—just as I had expected. From the first Provincial Assembly held after the accession of William III. in 1691, down to the last in 1775, when the Revolution broke out—a period of eighty-four years—the place of Representative from the Manor was always filled ; frequently by the Proprietor himself, and if not by him, by reason of his minority or other disability, then always by some member, or some friend, of the family. The first Deputy from the Manor was Killian, the son of Jeremias Van Rensselaer ; after twelve years in the Assembly, he was called to the Provincial Council. The last Deputy was Gen. Abraham Ten Broeck. He was the uncle of the late Patroon, by marriage, and his Guardian during his minority, and had the care of his Estate. He represented the Manor for fifteen years, and as long as there was a Colonial Legislature in which it could be represented.

While, however, the Proprietor, or some family or

personal friend of his, uniformly secured the advantage—if advantage it was—of an election to the Assembly, it is only an act of justice to say, that the interests of the Tenants appear to have been, without exception, faithfully represented—however it might be supposed that cases would arise, in which the interests of the Tenants and those of the Proprietor might not be identical. But this is not all, nor the highest praise due to the Representatives of Rensselaerwyck. During almost the entire period of eighty-four years just referred to, the political condition of the Province was unquiet. The tendencies towards popular liberty were constantly manifesting themselves, and bringing the Colonial Assemblies into sharp collision with the Royal Governors. The Governors, as a general thing, went for prerogative and power ; while the Assemblies had enough of the blood of the Saxons infused into them, to stand out for popular rights, and some of the guaranties of freedom. I do not think that the Dutch, though brought up in a different school, were, on the whole, a whit behind their fellows in acquiring those liberal lessons which were studied, recited and enacted in these political Colleges. But how was it with those among the Hollanders, who had themselves, or whose ancestors had, but lately come into the country, expressly with a view to the founding and maintaining in it, in their own persons, and in their children, a high feudal aristocracy ; and whose pretensions, in this re-

gard, had been expressly recognized by the new Powers, with only such modifications as resulted, when an English Monarchy succeeded to the dominion of a Dutch Republic? What was their course and conduct in the political conflicts of the times? Did they struggle to retain their hold on these personal advantages? Did they seek, by a natural sympathy, to strengthen the arm of irresponsible power, and encourage the foot of tyranny to press more strongly on the neck of prostrate humanity, as symptoms of life, and the awakening consciousness of strength, began to exhibit themselves? Quite the contrary, as the records of the period shew. When the Assembly, at its Session in 1691, framed and published its Declaration of Rights—a remarkable act for the period, and the first example of the sort, I think, among the American Colonies—the Proprietor and Representative of Rensselaerwyck assisted in that bold and manly measure. This was the very earliest occasion on which the political bias of his mind could have displayed itself. Ten years afterwards, I find this same individual—a proud feudal dignitary of the land—putting his name, with only four others of the Assembly, to a paper, which insisted so strongly on the rights of the Assembly, in opposition to the encroachments of Authority, that that Body itself felt obliged, in order to charm down the angry elements that had been roused, to pronounce the instrument disloyal, and even to expel its author from the House. In

1747, the Royal Governor, Clinton, committed against the House a gross breach of privilege, and was about to follow an act of injustice with an act of tyranny, and dissolve the Assembly. But the Assembly did not choose to receive this last Message from his Excellency, till they had transacted a little business on their own account. They locked the doors of their Chamber, and laid the key on the table, and proceeded to charge and prime some strong Resolutions, to be let off with heavy denunciations against the Governor, when the doors should be opened ; they made provision, at the same time, for a Manifesto, to be drawn up and fulminated, after the dispersion of the Members, and which is one of the most elaborate and remarkable papers of our ante-republican history.* In all this proceeding, the Representative of Rensselaerwyck—a brother of the Proprietor—did not hesitate to take his part, on the side of right and liberty. I have already stated, that Abraham Ten Broeck was the last Representative of Rensselaerwyck in the Legislature of the Colony. He was the brother-in-law of the late Mr. Van Rensselaer's father—who died at the early age of twenty-seven—and, as I have stated, the uncle and Guardian of the son ; and he did not misrepresent either in acitng

* This extraordinary Paper, making sixteen closely printed folio pages, in double columns, may be found in Lot's Journal of the Colonial Assembly of New York, vol. ii. p. 206.

the part of a good patriot. It is well known, that in the last brief Session of the Assembly, held early in 1775, a considerable part, sometimes a majority of the House, were found to shrink from any very bold and decided measures. Several Resolutions were rejected, which it was feared might seem to commit the Assembly to the cause of the approaching Revolution. Gen. Ten Broeck had no fears, and voted on these occasions with the country and for the country. And, finally, when the Revolution came, he fearlessly plunged in, with others, to swim with and save his country, or to sink with her. He was a Member, and the President, of the Convention which formed the first Constitution of this State—that Convention which sat, at various times, and in seven different places, as the exigencies of the war permitted or compelled, before the completion of its labors.

With this brief relation, I conclude this slight sketch of the affairs of Rensselaerwyck. It is not a little gratifying to find, that even here, where provision had been originally made, and which had been carefully continued and preserved, to plant a strong Baronial and Aristocratical interest in the virgin soil of the New World, in imitation of the established institutions of Europe—to bear sway by combining to form a reigning oligarchy, or else to stand as supporters and buttresses around a superior regal power—even here, not only was nothing ever found on which the enemies of freedom could rely for support;

but, during, all the preparatory period, and when the occasion came at last to call out the brave and patriotic—those who would be free and make their country so—in defence of human rights and popular liberty, a spirit was manifested in full accordance with the popular movement and temper of the times. The Manor of Rensselaerwyck—with whatever influence belonged to it—by no means inconsiderable—was found invariably on the side of freedom and the people.

Professor Henry

MR. BARNARD'S DISCOURSE

ON

THE LIFE AND SERVICES

OF

STEPHEN VAN RENSSELAER;

WITH AN HISTORICAL SKETCH

OF

COLONY AND MANOR OF RENSSELAERWYCK.



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